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# Routledge Handbook of NGOs and International Relations

Edited by Thomas Davies

# Routledge Handbook of NGOs and International Relations

Offering insights from pioneering new perspectives in addition to well-established traditions of research, this Handbook considers the activities not only of advocacy groups in the environmental, feminist, human rights, humanitarian, and peace sectors, but also the array of religious, professional, and business associations that make up the wider non-governmental organization (NGO) community.

Including perspectives from multiple world regions, the book takes account of institutions in the Global South, alongside better-known structures of the Global North. International contributors from a range of disciplines cover all the major aspects of research into NGOs in International Relations to present:

- a comprehensive overview of the historical evolution of NGOs, the range of structural forms, and international networks
- coverage of major theoretical perspectives
- illustrations of how NGOs are influential in every prominent issue-area of contemporary International Relations
- evaluation of the significant regional variations among NGOs and how regional contexts influence the nature and impact of NGOs
- analysis of the ways NGOs address authoritarianism, terrorism, and challenges to democracy, and how NGOs handle concerns surrounding their own legitimacy and accountability.

Exploring contrasting theories, regional dimensions, and a wide range of contemporary challenges facing NGOs, this Handbook will be essential reading for students, scholars, and practitioners alike.

**Thomas Davies** is a Senior Lecturer in the Department of International Politics at City, University of London. He researches NGOs, social movements, global governance, and transnational history. His publications include *NGOs: A New History of Transnational Civil Society* and *The Possibilities of Transnational Activism*.

“This timely and important book provides a comprehensive and compelling look at the role of NGOs in International Relations. Pushing against disciplinary silos, it brings together a first rate group of scholars to reflect upon the role of NGOs in a vast number of issue areas and regions of the world. It is essential reading for everyone interested in ‘politics beyond the state’.”

**Erin Hannah**, *King's University College, Western University, Canada.*

“A comprehensive and timely collection of essays about the growing and crucial role of non-state actors in world politics. *Routledge Handbook of NGOs and International Relations* has insights for politicians, pundits, and the public as well as analysts of global governance. This excellent overview provides one-stop shopping for a phenomenon that challenges the contours of our understanding about contemporary transnational interactions.”

**Thomas G. Weiss**, *The CUNY Graduate Center, New York, USA.*

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*Edited by Thomas Davies*

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# Foreword

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This *Handbook of NGOs and International Relations* is a magisterial work. Instead of providing a simple set of case studies, it is organised into five sections covering all the major questions being addressed by researchers on non-governmental organisations. They are the history of the emergence of NGOs; how to understand NGOs through theory and analysis; the wide range of NGO concerns and activities; the different situations in countries in each of the global regions; and current problems faced by NGOs and civil society in general.

The reader must be cautioned: there is no common definition of what constitutes an NGO. This is not a criticism of the Handbook. The term has been used in very many different ways. It originated primarily to cover formal, structured, international organisations (INGOs) and then quickly became a term to cover organisations within a single country (national NGOs or local NGOs). The problem of the difference between NGOs and social movements became a matter of controversy and is discussed, primarily in Chapter 10. The literature has not managed to cope with the impact of the Internet that generated less formal group activities that raise the question: how organised does a group have to be for it to be called an organisation? No distinctions can be drawn easily between relatively permanent, web-based, advocacy networks; widely followed group discussion forums; a set of petitioners on Change.Org; and ephemeral Facebook or Twitter campaigns.

Part I, with its focus on history and how NGOs relate to governments and intergovernmental organisations, demolishes the common illusion that NGOs first became important in global politics after the end of the Cold War. Over half a millennium ago, the intellectual revolution of the Christian Reformation and the European Renaissance was sustained by transnational relations across Europe. By 1660, one of the oldest NGOs still existing today, the Royal Society, was formed in London, as a national science academy, and appointed its first “Foreign Secretary” in 1723, to relate to science NGOs in other countries (Poliakoff 2015). In the nineteenth century, many European transnational advocacy networks developed and some had as great an impact as any of the networks of the 1990s. Early academic study of International Relations rarely mentioned the subject, but transnational NGOs did attract some attention during the Cold War (Meynaud 1961; Keohane and Nye 1972; Mansbach, Ferguson and Lampert 1976; Pei-heng 1981; Willetts 1982). It was not NGO activity, but the sustained *study* of NGO activity, that emerged during the 1990s. That said, Internet communications, slowly from the mid-1980s, and the creation of websites, more rapidly from the late 1990s, have allowed a greater volume and a greater intensity of transnational NGO activities. This is why NGOs in the 1980s established the first, public, Internet service providers and ensured the Internet became a comprehensive network of networks (Willetts 2011, 84–113).

Giving proper weight to NGOs means that we should not discuss “states” as political entities. The concept of a state is only appropriate in relation to international law. Labelling governments

as “states” and NGOs as “non-state actors” privileges governments and downplays the significance of NGOs. Just two decades ago, Alan James emphasised states and dismissed the study of NGOs, with contempt, by asserting his lack of interest in a hypothetical “International Association of Train-Spotters” (2000, 1). The richness of the work in Part I demonstrates how far we have moved since the academic discipline of International Relations was widely regarded as solely being concerned with inter-state relations. Indeed, it establishes that NGOs have existed as long as modern governments have existed and the two types of institutions have evolved alongside each other.

Although some of the chapter authors do still refer to states rather than governments, they all ask questions about the relations between governments, NGOs and other transnational actors – within societies, between societies and within various types of international organisations. While this complexity was recognised by academics in the 1990s, it was an initiative from a politician, Willy Brandt, mobilising the support of other retired politicians and diplomats, that led to the creation of the Commission on Global Governance (CGG 1995) and popularised the concept of global governance. The importance of the Commission’s understanding of the concept is that, *by definition*, it refers to “policy-making and policy implementation in global political systems, through the collaboration of governments with actors from civil society and the private sector” (Willetts 2011, 148).

The majority of international organisations are either intergovernmental organisations, composed solely of governments, or international NGOs composed solely of NGOs, but I have long argued that another challenge to orthodox thinking should be recognised. There are also hybrid international organisations, in which *both* governments *and* NGOs have full membership status. Some of these hybrids – such as the International Conference of the Red Cross and the Red Crescent, and the World Conservation Union (IUCN) – are of major importance (Willetts 2011, 72–80). In Chapter 4 of this Handbook, Davies moves even further away from a state-centric perspective, by asking us to consider transnational governance as a process that bypasses governments and influences other actors in global society. The first major book on transnational relations made a different challenge. Keohane and Nye (1972) not only disaggregated countries into governments and NGOs, but also disaggregated governments into their consistent bureaucracies, which each have their own transgovernmental relations. They argued it is fundamental to the study of intergovernmental organisations to recognise that semi-autonomous parts of governments, rather than unified governments, are usually the decision-making participants. Their elaboration of transgovernmental relations, in 1974, is one of the most important articles ever written on global politics, but unfortunately it also has generally been ignored.

With the rise of “new” global issues in the 1970s – particularly human rights, women’s issues and environmental concerns – it became obvious to any observer that NGOs were deeply involved both at the country level and at the global level. However, this did not make it any easier to bring NGOs within the discipline of International Relations. The new global conferences organised by the United Nations were seen as “low politics” separate from the “high politics” of armed conflict and security issues. Evidence of NGO activities would not persuade orthodox academics to study NGOs. I struggled to cope with this indifference, until I realised it was necessary to provide a theoretical framework to assert the place of NGOs in global politics. NGOs do not have military capabilities nor do they usually have significant economic resources, but they do exercise substantial influence. I argued for “a value-free study of values” and analysis of how NGOs can mobilise support for their values. They can make their goals salient by four different linkage strategies: gaining support from high-status actors; invoking widely supported values; bargaining to create wider coalitions; and highlighting functional linkages to other issues (Willetts 1996a and 2011, 138–41).

Part II of this Handbook shows how much theory and analysis of NGOs has mushroomed since the 1990s. The crucial turning point was the publication of *Activists Beyond Borders*, by Keck and Sikkink in 1998. It is noteworthy that neither of them started as mainstream International Relations scholars. Keck was motivated by environmental issues and Sikkink by human rights; both were women; and both had a strong interest in developing countries. Their work made constructivism the dominant theoretical approach in the study of the transnational relations of NGOs. The chapters focused on theory all take constructivism as the foundation for contemporary theorising about NGOs, even when they criticise the approach for being too idealistic or neglecting rationalist analysis of the funding of NGOs. The benefit of the early constructivists was not so much the emphasis on advocacy networks as moving outside the discipline of International Relations to Sociology to use a different theoretical framework. Analysis of mobilisation of support for values was not compatible with assumptions about *objective* interests, within state-centric power theory. Analysis of NGOs required using the concepts of framing, resource mobilisation and opportunity structures, which are applicable to all types of global actors, including governments.

The contributors do not always agree with each other. Bloodgood's call for the systematic collection of quantitative data is indirectly criticised by the post-positivist authors. However, the differences are not as sharp as they would have been in the 1990s. Bloodgood explains fully the problems with collecting data and the limitations in its coverage, while the post-positivists' chapter moves away from insisting on the original, sweeping, anti-positivist arguments. I would go further and argue that the epistemology of positivism does not have to be equated with the conservatism nor with the analytical failings of state-centric realists and liberal institutionalists. Most constructivists now are in practice positivists, deeply immersed in empirical questions, even if they are sometimes camouflaged in anti-positivist clothes. Even the popular references to "lived reality" can be interpreted as calling for a positivist rejection of unsubstantiated theory: the oppression of women, for example, is *both* a subjective experience *and* part of the objective reality that constitutes global politics.

Part II introduces other theoretical questions that need to be considered by constructivists. The chapter on rationalism is useful in asking how economic interests are assessed, but constructivists would reply that non-economic values, which generate altruism, can also be pursued in a rational manner. The choice and diffusion of values is the focus of constructivism and not rationalism, but the optimisation of values – any and all values – can be analysed in terms of rationality. The chapter on international law also implicitly raises the challenge whether constructivism could be applied to the process of new legal rules gaining increasing support until they become accepted as part of customary international law. It might be controversial now to assert that NGOs can have international legal personality, but before the Second World War it was not accepted that intergovernmental organisations had legal personality. Ryan's chapter on aesthetic politics is important in dealing with the role of affect and emotion in communications. She analyses the deliberate utilisation of images in NGO advocacy and fund-raising. Sometimes images in the news media can also have a major political impact on global politics as a whole. The photographs of the Sharpeville massacre in March 1960 led to the British NGO, the Boycott Movement, becoming the Anti-Apartheid Movement and the beginning of the process that delegitimised the South African, racist, governmental system (Minty 1982). Such non-verbal communication effects should also be integrated into constructivism.

Coverage in Part III of both issue-areas and sectors, including chapters on labour, health and education that straddle the two, has the advantage of forcing the reader to acknowledge the immense diversity of types of NGOs. One's first reaction to the set of chapters on issue-areas might be to say they all demonstrate the importance of advocacy networks, but there are



differences as well as similarities. Peace and the environment have scientists as major political actors, yet health does not, even though health questions require scientific understanding. Despite the coverage of human rights in the UN Charter, the issue-area of human rights stands out as not being fully accepted as part of *global* politics until as late as the 1970s, when it first became possible in international diplomacy to discuss violation of the rights of individuals by their governments. Yet, women's rights go back to social movements over a century ago and women's organisations had more impact on global politics in the twentieth century than any other set of NGOs. The next step we need is to design comparative studies between different issue-areas to increase our understanding of the dynamics of normative change.

There are chapters on unions and on religious NGOs, neither of which like to be described as NGOs, but in all parts of the UN system (except for unions in the ILO) they only have a presence by becoming accredited as NGOs. They also engage on more global issues than most other NGOs, yet assessment of their impact on issue outcomes has often been given insufficient attention. Individually and more so collectively, the chapters in Part III illustrate how analysts are forced to limit themselves to the study of a few types of NGOs. In the literature on issues, a distinction is often made between advocacy NGOs (or networks of NGOs) and NGOs delivering public services, while acknowledging many do both. However, NGOs may engage in many other types of activities – such as maintenance of group identities, empowerment of the disadvantaged, information exchange, research, standard-setting, pursuit of sectoral interests, maintenance of professional norms or provision of services to their own members.

Some of these different activities become evident when the focus is shifted from issue-areas to sectors. The chapter on expert communities outlines a very wide, but neglected, field, covering policy networks that gain legitimacy from their scientific or technical knowledge. In the modern global economy, these networks provide a distinct form of global governance that sets the parameters within which most of us have to work in our daily lives. Similarly, global regulation is also undertaken by trade associations, covering a particular economic sector. They may co-operate with or be in conflict with issue-based NGOs, while themselves being a distinct type of NGO. A chapter on the politics of global trade demonstrates how expertise and/or a sectoral focus have made NGOs central to global trade governance at the WTO. Another chapter points to the importance within countries of professional associations engaging in self-regulation, usually exercising authority delegated to them by governments. Questions arise about the extent to which professional standards are now starting to be regulated by regional or global professional associations. Collectively these chapters suggest the need to integrate the literatures on international regimes and on epistemic communities into pluralist constructivism.

Similarly, divergences about use of the term NGO arise in Part IV, which changes the level of analysis to NGOs within individual countries. Partly, divergences arise due to different cultural, legal and political systems in different parts of the world, resulting in differences over what types of organisations are formed. Partly, the chapter authors have different interests, with some restricting themselves primarily to development NGOs and some including a wider range of civil society groups. In all developing countries, there is a tendency to a varying extent, for those opposed to the activities of NGOs, to use the label NGO as a term of abuse: an NGO is an agent of an illegitimate foreign interest or more generally an agent of Western, neo-liberal, capitalism. This charge can be used whether or not it is based on reality in any way.

It is striking that, in most countries discussed in Part IV, large, successful NGOs are likely to be co-opted as agents of the government, by being subject to a variety of different types of pressure. In the USA, the benefits of tax exemption lead charities to limit their political activity

and transnational NGOs are often seen as supporters of US foreign policy. In the European Union, those on the Transparency Register have to work closely with the Commission out of the media spotlight to gain influence, while becoming a “democratic fig-leaf for the rather opaque political system”. In Russia, Egypt and India, the strongest method of control is to require registration in order to be permitted to receive foreign funding. In China, NGOs must have sponsorship from a government body. In South Asia, Islam and Hinduism are invoked to impose cultural and religious limitations on NGO activities. In Africa, countries with authoritarian regimes use nationalist rhetoric to delegitimise NGOs that criticise them. However, African NGOs that can present themselves as being community-based organisations gain greater freedom of action. The chapter on Latin American countries appears to offer the most vigorous examples of civil society, despite the divisions between formally organised NGOs and more radical social movements.

The wide-ranging, but not universal, review of NGOs around the world makes evident a surprising general acceptance that NGOs exist by virtue of their legal registration. This is not just a feature of authoritarian and semi-authoritarian regimes. Even the Council of Europe has adopted a “Convention on the Recognition of the Legal Personality of International Non-Governmental Organisations”. The very idea of legal registration seems very strange in some political cultures that emphasise the unrestricted right to unregulated freedom of association. This point is made to emphasise that, in countries where charities have to be registered to obtain tax benefits, there are many NGOs that are *not* charities. In other countries, with wider registration systems, groups will only need to register when they wish to gain legal rights, such as the right to own property or to engage in other contracts or financial commitments. Even in the most authoritarian societies, there will be some social groups that are not legally registered but have sufficient cohesion and structure to be considered as NGOs.

Part V deals with a set of problems faced by NGOs that either did not exist or were not sufficiently acknowledged at the beginning of the twenty-first century. Democracy was stronger around the world and democracy promotion by NGOs was less controversial; NGOs did not operate on such a large scale in countries with authoritarian regimes; the neutrality of NGOs was better respected in conflict zones; they were less likely to be the targets of terrorist attacks; and questions of legitimacy and accountability were not such paramount matters of public debate. These problems became more intense as populist approaches grew stronger in the traditional media, on the new social media and in politics; violence against NGOs in the form of terrorism, insurgency, government oppression and civil wars increased; and the number, the size, the responsibilities and the visibility of NGOs grew larger.

Until the end of the 1990s, NGOs were widely assumed to be altruistic and acting in the public interest. However, it has always been the case that no individual could reasonably support all NGOs. They do not all endorse the same values and on some issues there can be different NGOs advocating opposing positions. For example, in the mid-1980s, both human rights NGOs and US racist groups were among the first users of the Internet. In the mid-1990s, I was obliged to accept the title of my book on NGOs, proposed by the Brookings Institution, would be “Conscience of the World”, but dissociated myself from this position by using inverted commas (Willetts 1996b, 11). Two decades later, many NGOs are now subject to a range of political criticisms. They may be under attack by neo-liberals for being too progressive or by left-wing radicals for sustaining neo-liberalism.

Growth in the size of an organisation is liable to reduce teamwork, personal interactions and mutual trust, while increasing hierarchical authority, impersonal interactions and monitoring procedures. Managerialism can be corrupting, because it causes a shift from personal moral

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responsibility to meeting procedural requirements. NGOs may shift their priorities solely in order to gain funds or to gain publicity. Individuals may become dishonest in reporting what managers wish to hear rather than what actually happened. The chapters by Yanacopulos and by Lewis in Part II suggest that NGOs must be analysed not just in terms of their advocacy, but also in terms of their internal functioning. Lewis emphasises the need to ask different questions about the management of NGOs from those asked about commercial organisations; notably, NGOs should not necessarily be “efficient”. There is a fundamental contradiction between reducing costs and increasing the quality of activities. For all NGOs, there are pressures to reduce quality by reducing overheads such as research, reflective procedures or consultation with stakeholders.

The general problems of when to compromise and how to limit the impact of bureaucratisation cause the specific problems discussed in Part V. How much deviation from core values is acceptable, in the interests of mobilising wider support or gaining greater resources or maintaining the organisation’s reputation? Should criticism of governments be modified in order to allow activities to continue; should resources be allocated to ensuring the security of NGO workers; is co-operation with terrorists ever justified; should work in territory controlled by terrorists be stopped, because governments simplistically label it as collaboration with terrorists; or is “poverty porn” acceptable as an effective way of raising funds? The worst problems arise for operational NGOs, especially if they have wide-ranging programmes and/or large budgets. For example, in November 2014, Save the Children gained more than £360,000 by collaborating with the *Financial Times*, in a special edition of the *How to Spend It* magazine, but they also abandoned their core value of poverty alleviation by legitimising excessive wealth. More widely it has emerged that a range of NGOs, commercial organisations, churches and inter-governmental organisations have ignored and suppressed information about sexual exploitation and harassment, in order to avoid damage to their reputation. It is important to ask whether larger NGOs are more at risk than smaller NGOs of condoning unacceptable behaviour, failing to maintain internal accountability and losing their legitimacy. Equally, are hierarchical NGOs, following bureaucratic procedures, more at risk of losing their integrity than non-hierarchical NGOs, seeking to maintain professional values?

The editor and the contributors are to be congratulated for such a stimulating Handbook that raises so many important questions and demonstrates how broad the study of NGOs has become.

Peter Willetts  
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*Thomas Davies*  
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# Introducing NGOs and International Relations

*Thomas Davies*

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Non-governmental organizations (NGOs) are among the most prominent features of contemporary international life. Some of the best-known international actors on the world stage are NGOs, with organizations such as Amnesty International, CARE, and Greenpeace being household names in many countries. NGOs are generally understood to wield considerable normative power, such as by advancing human rights protection around the world, and by helping to bring about international agreements including the Treaty on the Prohibition of Nuclear Weapons and the Convention on Cluster Munitions. Some NGOs – such as the Bill and Melinda Gates Foundation which has over \$50 billion assets (KPMG 2018, 2) – also wield considerable economic muscle, and up to two thirds of emergency relief funds may be channelled through NGOs (Development Initiatives 2018, 48).

The significance of NGOs in world politics has been recognized in a growing body of International Relations research, particularly since the end of the Cold War (Bello 2012). Much of the early literature projected a glowing picture of NGOs embodying “the rise of global civil society” that not only represented an historic “power shift” (Mathews 1997) but potentially also “an answer to war” (Kaldor 2003) and a source of “global democracy” (Scholte 2004). In the twenty-first century, critical perspectives became increasingly common, highlighting the deficits in NGOs’ effectiveness (Cooley and Ron 2002), accountability (McGann and Johnstone 2005), and legitimacy (Collingwood 2006).

A wide range of aspects of NGOs’ roles in world politics have been delineated, including their liaison with intergovernmental organizations (Willetts 1996; Martens 2005), their roles in transnational advocacy networks (Keck and Sikkink 1998), their contributions to international conventions (Glasius 2006), and their participation in “politics beyond the state” (Wapner 1995). A broad array of issue-areas in which NGOs have been involved have also been considered, including the environment (Eilstrup-Sangiovanni and Phelps Bondaroff 2014), peace (Richmond and Carey 2005), humanitarianism (Barnett and Weiss 2008), gender equality (True and Mintrom 2001), and human rights (Korey 2001; Bob 2009), among many others. Although there are some influential general studies of NGOs in International Relations (Ahmed and Potter 2006; Willetts 2011), much of the existing literature has been compartmentalized, limiting its focus to particular aspects and issue-areas of NGOs’ activities.

This volume, by contrast, aims to be the first comprehensive research handbook bringing together insights on these diverse but complementary topics. Moreover, this volume aims to take a broader perspective on NGOs than much existing literature by taking into consideration the work not only of advocacy-oriented organizations such as human rights NGOs, but also the array of specialized business, professional, and educational bodies that make up the wider NGO community.

Whereas previous studies have often considered NGOs from within disciplinary confines, including sociological analysis of social movement organizations (Tarrow 2005), development studies evaluation of aid groups (Makuwira 2013), and political analysis of transnational relations (Risse-Kappen 1995), among other perspectives including from international law (Lindblom 2005) and constructivist International Relations theory (Price 1998), this volume aims to bring together insights from each of these and many other standpoints. This handbook further considers major contemporary challenges confronting NGOs in world politics, including issues of legitimacy and accountability, and contemporary security threats. It also intends to bring together insights from multiple world regions, taking into consideration organizations in the global South in addition to institutions of the global North.

## Introducing NGOs

Although the term “NGO” has become a commonplace feature of contemporary discourse, there is little agreement as to what exactly an NGO is. The term appears to have first been used by Dwight Morrow (1919, 81), when he distinguished international organizations not set up by states from those that were. This was also the understanding of the term when it entered widespread use with the reference in Article 71 of the United Nations Charter to the capacity of the Economic and Social Council to “make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence” (Charnovitz 2006, 351). As Willetts (2011, 31) argues, subsequent United Nations practice has limited the organizations eligible for consideration for consultative status as NGOs to those organizations that were not only not set up by governments, but which were also not profit-making, not criminal, and not violent.

Originally, the term NGO referred primarily to organizations that were international in reach (Davies 2014). In contemporary discourse, however, it is increasingly common also to consider as NGOs non-profit non-state non-criminal organizations that are limited to single countries or localities. United Nations practice has increasingly opened up to consideration as NGOs in consultative status associations organized solely on a national basis (Willetts 2011, 37). The academic literature on NGOs in International Relations, similarly, has included studies not only of exclusively transnational organizations, but also of exclusively national organizations, and combinations of both national and transnational associations.

In its broadest usage, the term NGO is applied to any non-state, non-profit, and non-criminal organization, however large or small, and regardless of its field of work. In this sense, it encompasses a vast array of actors from business associations such as the International Chamber of Commerce, to advocacy groups such as Greenpeace, to development aid organizations such as Oxfam, and to professional bodies such as the International Federation of Library Associations, to name a few international examples. While some are more oriented towards service provision, others focus more on advocacy. Although exhaustive coverage of the numerous different NGO categories is impossible, the chapters in this volume aim to reflect this breadth and diversity.

For some, the NGO label is used in an extremely restrictive sense. This is especially common in development studies literature, where only those NGOs that are concerned with aid and



development are often considered to comprise the totality of NGOs. For many from a “Global South” perspective or from a social movements perspective, the term NGO has become a term of abuse, referring to a particular set of North-based hierarchical and often development-oriented organizations, leaving South-based and more horizontally mobilized groups to separate categories such as “social movement organizations.” These disciplinary differences are reflected in the chapters in this volume, where the authors have been encouraged to define NGOs in accordance with the usage prevalent in their respective contexts.

## NGOs and International Relations

Just as there are many ways of defining NGOs, there are also multiple ways of conceiving the relationships between these actors and International Relations. As just discussed, NGOs themselves are often internationally structured actors with branches in multiple countries: some – such as FIFA – even have more member national associations than the United Nations has member states (FIFA 2018). Whether they are organized internationally or simply on a local or national scale, NGOs may also be significant in International Relations through their impacts on international developments. These impacts have traditionally been considered in state-centric terms, such as NGOs’ influence on the behaviour of foreign governments (as in Keck and Sikkink’s (1998) “boomerang pattern”), or NGOs’ lobbying for international conventions, serving as “norm entrepreneurs” (Finnemore and Sikkink 1998). Alternatively, their influence in International Relations may be conceived in transnational terms, such as by influencing the behaviour of corporations (Newell 2001) or through transnational service provision (Sperling 2009, 311–312). Increasingly, NGOs are seen as integral components of global governance (Ruhlman 2015), working alongside states, intergovernmental organizations, and corporate actors, including in multi-stakeholder initiatives (Peña 2016). An alternative approach to considering the relationship between NGOs and International Relations is to reverse the direction of investigation and to explore the impacts of International Relations on NGOs and their local, national, and regional-level activities. Each of these ways of interpreting NGOs and International Relations is to be found in this volume.

Having previously been marginalized in International Relations theory, NGOs have been transformed from being considered just one of many aspects of transnational relations (Keohane and Nye 1972) to become one of International Relations theory’s central areas of concern in their own right (DeMars and Dijkzeul 2015). Whereas traditional neorealist and neoliberal approaches to rationalist International Relations theorization neglected NGOs, more recent rationalist perspectives have shed important light on NGOs’ international activities, as Youngwan Kim’s chapter in this volume indicates. Given its focus on norms, constructivist International Relations theory has been one of the most popular approaches to studying NGOs over the past three decades: NGOs are thought to play a vital role in every stage of the norm “life cycle,” from their creation through to their adoption and internalization (Segerlund 2010). Critical International Relations theories have also commonly focused on NGOs: these approaches are divided between those that see NGOs as agents of emancipation (Blakeley 2013), and those that view NGOs as reproducers of social hierarchies (Wright 2012). NGOs themselves have played a role in the development of International Relations theory: for example, peace associations have helped advance theories of war and peace (Ceadel 2014), and women’s NGOs have been important in the development of feminist International Relations theory (Tickner and True 2018).

Both the study of International Relations and the study of the non-profit sector are extremely pluralist disciplines, open to a wide range of methodologies and analytical perspectives. This volume aims to reflect this diversity, and contains contributions from historical, rationalist, and

post-positivist perspectives, among others. It aims to bring together authors from multiple related disciplines able to shed light on NGOs in International Relations, including social movement studies, development studies, management studies, and voluntaristics. The chapters on NGOs in different issue-areas and world regions deploy a wide range of analytical approaches, reflecting the diversity of approaches in the literature: some are case study oriented, while others are quantitative, historical, critical, or based on mixed methods.

## NGOs' structures and networks

Scholarship on NGOs in International Relations has been developing for more than a century (Davies 2017). Before the First World War, Paul Otlet and Henri La Fontaine (1912) aimed to advance the “scientific study” of private international associations in world politics through the data collection efforts of the Union of International Associations. Building on these efforts, Lyman Cromwell White developed a framework in the 1930s for disaggregating the variety of international structures exhibited among NGOs that remains useful to this day. White (1933, 31–32) put forward a basic distinction between NGOs with an “inter-national” structure consisting of member national and local associations, and “cosmopolitan” NGOs consisting of individual members or supporters in many countries. The former is one of the most common structures among NGOs, with prominent examples including Oxfam International, Greenpeace International, and the International Federation of Red Cross and Red Crescent Societies: in these cases the international secretariat provides services to the member national associations such as facilitating communication, coordination, and brand protection. Cosmopolitan NGOs are historically less common, but notable examples include the Institute of International Law and Survival International.

White (1933, 32) also noted the existence of “super-inter-national” structures, NGOs that themselves consist of international NGOs, one of the most prominent of which today is Accountable Now, which aims to provide a common accountability standard for participating international NGOs (Accountable Now 2018). A further category consists of “composites” (White 1933, 32): Amnesty International is an example of an “inter-national-cosmopolitan” composite, with a membership structure combining both national sections and individuals (Amnesty International 2018). CIVICUS, on the other hand, is an example of a “national-inter-national-cosmopolitan” composite, with a membership base combining individuals, national NGOs, and international NGOs (CIVICUS 2014, 5).

Whereas White focused on disaggregating the variety of NGO structures, more recent literature on the topic has aimed to shed light on the impact of NGO structures and policies on NGO outcomes. In one of the foremost books on the topic Wong (2014) emphasizes the significance of centralized agenda-setting and decentralized agenda-implementation. Similar arguments are put forward in the literature on the mobilizing structures of social movements that emphasizes the significance of an appropriate blend of robustness and flexibility (Diani 2009).

Traditional international NGO structures such as those put forward by White have increasingly been critiqued for their hierarchical nature, and even the perpetuation of North–South asymmetries (Stavrianiakis 2012). In response, some NGOs – such as World Vision – have reformed their organizational structures to give a greater say to South-based stakeholders (Foreman 1999). Others – such as CIVICUS and ActionAid – have relocated their headquarters from North to South (Walton et al. 2016). At the same time, the number of international NGOs with primary headquarters in Asia has grown from 907 in 2000 to 1,387 in 2016, and in Africa has grown from 626 in 2000 to 760 in 2016 (Union of International Associations 2018).

Another response to such critiques has been the proliferation of social mobilizations claiming to eschew hierarchical organization altogether. One of the most prominent in the second

decade of the twenty-first century was Occupy, which claimed to have “no official leaders” and instead to be concerned with “empowering everyone to be involved and share the responsibility together” (Occupy Together 2013). Claims to horizontality of mobilization are often exaggerated, however: the World Social Forum (WSF), for instance, despite aiming “not [to] constitute a locus of power to be disputed by the participants” (WSF 2001), featured an “International Council” which was intended to be “a permanent body . . . defining policy guidelines and the WSF’s strategic directions” (WSF 2002).

NGOs often make links with one another that fall short of the establishment of a super-international organization. In their landmark research, Keck and Sikkink (1999, 89) considered the activities of transnational advocacy networks, encompassing “those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services.” NGOs often play a central role in these networks, for instance in the famous “boomerang pattern” by which “domestic NGOs may directly seek international allies to try to bring pressure on their states from outside” (Keck and Sikkink 1999, 93). However, as Stroup (2012) has argued, the extent to which international NGOs embody transnational shared values and practices may have been exaggerated, given the considerable role of national origin in their structures and advocacy work.

Between the informality of transnational advocacy networks and the formal structures of super-inter-national NGOs are transnational coalitions, which tend to develop around particular issues and campaigns and involve greater coordination than a network with respect to strategy (Khagram, Riker, and Sikkink 2002, 7). Some coalitions originally focused on one short-term goal have persisted beyond achievement of that objective: the Coalition for an International Criminal Court, for instance, is now an enduring super-inter-national NGO after its initial objective of the establishment of this court succeeded (Glasius 2006).

NGOs work not only with other NGOs in transnational networks and coalitions, but also with a wide range of other international actors. The last three decades have also witnessed considerable expansion in the number of formally organized multi-sectoral bodies combining NGO participants with other actors such as transnational corporations and intergovernmental organizations. A common focus for these is the setting and monitoring of common standards, such as the reporting standards of the Global Reporting Initiative (Peña 2016).

## The influence and interactions of NGOs

According to most definitions, NGOs are not only non-governmental, but also non-violent. Since states are perceived to monopolize legitimate use of violence in the international system, NGOs rely on other forms of power in pursuit of their goals. Although some NGOs – especially foundations such as the Bill and Melinda Gates Foundation and some development organizations such as World Vision – have considerable economic resources to leverage, most NGOs rely especially on the power of the persuasiveness of their ideas and the credibility of their expertise.

There is a growing literature on the ways in which NGOs wield what Carr (1939) termed “power over opinion” in world politics. An important aspect of this, as Olesen (2011, 3) emphasizes, is “communicative – or framing – power,” drawing on the rich body of social movement scholarship on this topic (Johnston and Noakes 2005). Risse (2000, 22) emphasizes that the communicative power of NGOs is intimately connected to their “moral . . . authority.” The persuasiveness of NGOs is also often linked to their perceived expertise on the matters with which they are concerned (Hilton et al. 2013). A previously commonly neglected aspect of NGOs’ capacity to persuade is their aesthetic power, including their use of images and artefacts, as explored in Ryan’s chapter in this volume. Keck and Sikkink (1998, 22–24) argue that in

addition to the “symbolic politics” of framing, NGOs undertake “leverage politics” including not only the leveraging of material resources but also “moral leverage” such as the “mobilization of shame,” as well as “accountability politics” exposing the failures of international actors to ensure their practices match their commitments.

Much of the earlier literature on NGOs in International Relations concentrated on NGOs’ roles as “pressure groups in the global system” (Willetts 1982), of interest on account of their capacity to influence intergovernmental proceedings and to persuade governments to change their behaviour. Risse-Kappen (1995) emphasized the importance of national political opportunity structures and international institutionalization in affecting their prospects for success in this role. Increasingly, NGOs are being recognized for their roles as political actors in their own right, setting transnational standards (Peña 2016), providing services traditionally undertaken by governments (Cammatt and MacLean 2014), and directly influencing the behaviour of individuals (Chen 2016). However, NGOs may also serve as channels for the projection of the power of other actors, both governmental (Wright 2012) and corporate (Dutta 2016, 162), and may be vulnerable to co-optation when they participate in joint projects with other actors (Huisman 2014).

There is therefore a wide spectrum of possible interactions between NGOs and other actors including states (Brass 2016), intergovernmental organizations (Johnson 2016), and corporations (Yaziji and Doh 2009). They may endeavour to lobby these actors (Busby 2010; Rugendyke 2007), campaign against them (Eilstrup-Sangiovanni and Bondaroff 2014), substitute for them (Rubenstein 2015), work together with them (Brass 2016), or be co-opted by them (Banks, Hulme, and Edwards 2015). In some cases they may even merge with them, or transform their status from non-governmental to intergovernmental organizations, as happened with Interpol (Fooner 1989, 51–52; UN 1996). NGOs may not only pioneer new standards (Price 1998), but also help persuade governments, corporations, other NGOs, and/or private individuals to adopt them, and monitor and enforce compliance of these actors with the standards (Abbott and Snidal 2009). While much of the literature has concentrated on the reformist influence of NGOs in the setting, monitoring, and enforcement of standards, NGOs’ broader international impacts may include a vast array of repercussions. These span from the technical, such as NGOs’ facilitation of communication (Yanacopulos 2015), and the conservative, such as the conferring of legitimacy to existing governance arrangements (Breitmeier 2008), through to the revolutionary, such as by contributing to the transformation of fundamental beliefs and practices as to how international and world society should operate (Martin 2008). According to Willetts (2011, 144), NGOs have not only reframed debates on international issues, taken part in global policy-making, and influenced the implementation of global policy, but in recent decades “have been the leading actors in transforming the nature of global politics” from a state-centric to a “multi-centric” system.

It is important, however, to consider that NGO outcomes vary significantly (Murdie 2014), and that NGO activities may have unintended consequences. Lake (2018) has highlighted how some successes of “strong” human rights NGOs in “weak states” have led at the same time to the undermining of human rights protection in other areas due to the weakening of state institutional capacity. Davies (2007, 2014), by contrast, emphasizes the long-term deleterious repercussions of large-scale transnational campaigns and coalitions that raise expectations of global cooperation that fail to be met.

## The wide array of issue-areas

Nine decades ago, White (1933, 11) observed that there were “literally hundreds of private international associations dealing with practically every subject of interest to human beings” and which “influence almost every activity of human beings.” In the contemporary era, it is similarly

claimed that the many thousands of NGOs now in existence “in effect cover all social and political activities of all people” (Willetts 2011, 1). The array of issues in world politics with which NGOs are concerned encompasses both traditional concerns of security and diplomacy which have been a focus for peace associations for centuries, and the panoply of economic, environmental, humanitarian, and social concerns of contemporary global governance. Moreover, NGOs have sought to represent the interests of numerous sectors of society, spanning business, professional, sport, youth, educational, health, and scientific associations to organizations promoting labour, gender, national, religious, colonial, and anti-colonial concerns, among many others. In each issue-area, NGOs have sought to shape and reshape ideas and understandings, to represent concerned groups, to influence the behaviour of governments, intergovernmental organizations, corporations, and individuals, and to make a difference through their own independent projects and policies.

There is not a single issue-area of International Relations which can be fully comprehended without reference to the role of NGOs. Even traditional concerns of security and the balance of power are thought to have been influenced by NGOs: while some have claimed that they played a role in bringing the Cold War to an end (Evangelista 1999), others have argued that long-term transformations in understandings of the nature of security and the purposes of war in national policy need to be understood in the context of the slow infiltration of peace NGOs’ ideas into states’ practices (Ceadel 1996). Moreover, NGOs have played a significant part in challenging traditional understandings of the nature of International Relations and the exclusivity of sovereignty, such as through promoting the recognition of universal human rights standards (Korey 2001) and the establishment of an International Criminal Court (Glasius 2006). Willetts (2011, 69) goes as far as claiming that “without NGOs, there would have been no international law of human rights.” They have also been significant in the opening up of the international agenda to previously marginalized global issues, including environmental concerns (Newell 2000). Women’s NGOs have been particularly influential across a vast array of international issues, often serving as pioneers of mobilization in many fields (Ferree and Mueller 2004).

NGOs are widely considered with respect to their role in the promotion of justice, whether in terms of the broad achievement of “global justice” (Della Porta 2007), or justice with respect to addressing gender (Joachim 2007), class (McCallum 2013), and racial (Klotz 1995) inequalities. They have aimed to advance such objectives both through advocacy work in relation to governments, intergovernmental decision-making, and corporations (Sikkink 1986), and through their direct implementation of educational (Silova and Steiner-Khamsi 2008), health (Gaist 2010), and social welfare projects (Lewis and Ravichandran 2008). Many of the best-known NGOs are concerned with the provision of direct humanitarian assistance and development projects: in this they have been considered variously as “partnering with local civil society to promote reform, modernization, and conflict resolution” (Eberly 2008, 24), as agents of imperialism and neo-colonialism (Petras 1999), and as exacerbators of conflict (Narang 2015).

In the global economy, NGOs are well known for their involvement in campaigns for debt relief (Busby 2007) and addressing labour injustices (Bieler and Lindberg 2011). However, they have also cooperated with the corporate sector in numerous joint projects and campaigns (Ross 2012) and multi-stakeholder initiatives (Koechlin and Calland 2009). It is increasingly common to argue that NGOs can be understood with the tools used to understand the ways transnational firms operate (Prakash and Gugerty 2010). Some NGOs are explicitly dedicated to advancing the interests of international business, including one of the first four NGOs to gain United Nations Economic and Social Council consultative status, the International Chamber of Commerce (Willetts 2011, 12–13). The boundaries between global justice activism and business interests are also less clear than commonly assumed: even the World Social Forum, for

instance, had roots in the business movement for corporate social responsibility in Brazil (Peña and Davies 2014).

Given the vast diversity of NGOs, the interests they represent, the ideas they put forward, and the projects they undertake, simple generalizations with respect to their “positive” or “negative” influence on world politics cannot be made. NGOs include both progressive and regressive groups (Bob 2012), they both reinforce and challenge existing hierarchies and injustices (Krause 2014), and their achievements include many failures in addition to their successes (Davies 2014).

## Contemporary challenges

In contrast to the optimism of the immediate post-Cold War years, the last two decades have witnessed growing concerns with respect to the challenges NGOs now face. In its 2018 report on the state of civil society, CIVICUS (2018, 3) noted that “as documented by report after report, the last few years have seen a systematic and global crackdown on the conditions for civil society.” A rich area of recent research has explored the growth of restrictive government policies on the activities of NGOs (Christensen and Weinstein 2013). Part of the context for this is the apparent resurgence of authoritarian and populist forms of government in both “developed” and “developing” countries (Heiss 2017). This has been compounded by the financial uncertainties with respect to NGO revenues following the 2008 financial crisis (Khanna and Irvine 2018), and by the damaging repercussions of the influence of neoliberal ideology for social welfare and social cohesion (Ismail and Kamat 2018). Recent decades have also witnessed significant concern at the security challenges NGOs face in “failed” states and in conflict and post-conflict situations (Irrera 2011), as well as in the context of global terrorism (Howell and Lind 2010). Nevertheless, NGOs have endeavoured to adapt to these challenges, such as by improving their procedures for cooperation with other NGOs and international actors (Missoni and Alesani 2014).

Many of the challenges faced by NGOs today are of internal rather than exclusively external origin. NGOs have been critiqued for lacking legitimacy (Collingwood and Logister 2005), for deficits in internal democracy (Humphrey 2007), for failing to uphold high standards of transparency and accountability (Schmitz et al. 2012), for ineffectiveness and inefficiency (Cooley and Ron 2002), for inflexibility (Hopgood 2013), and for counterproductive outcomes (Narang 2015), among other flaws. The ways NGOs may address these problems have been a focus of significant attention (Crowley and Ryan 2013). Some of the efforts by NGOs in this regard – including self-regulatory initiatives such as the INGO Accountability Charter – have been criticized for their weak and partial nature (Crack 2013). At the same time, there is growing awareness that NGOs are far from universally progressive in their objectives (Bob 2012), and that even those that claim to promote social justice may serve to perpetuate rather than challenge global inequalities (Stavrianakis 2012). Some NGOs are arguably victims of their own success: Stroup and Wong (2017) have argued that there is an “authority trap” by which leading NGOs that are held in particularly high regard face limited choices with respect to their actions in order to maintain their esteemed status among multiple stakeholders.

## The structure of this volume

Over the course of its forty-two chapters, this volume aims to provide wide-ranging coverage of NGOs in International Relations. The opening section aims to introduce the emergence of NGOs as actors in world politics, and the roles they play when interacting with states, with intergovernmental and other organizations in global governance, and with non-state actors in



politics that bypasses the state altogether. The subsequent section considers the insights provided by a range of theoretical and analytical approaches, encompassing not only International Relations theories but also insights from wider fields including those concerned with the study of development, law, management, and social movements, among others. The third part is dedicated to evaluating NGOs in a range of issue-areas encompassing not only their advocacy role in relation to the promotion of objectives including environmental protection, gender equality, human rights, and peace, but also their roles in humanitarian, educational, and health service provision, in standardization, and in interest representation, including of religious, business, and professional concerns. Analysis of NGOs in different regions of the world is the aim of the fourth section, which provides chapters encompassing both country- and regional-level studies demonstrating the extensiveness and diversity of NGO activities around the world. The volume concludes by considering contemporary challenges faced by NGOs in world politics, including both aspects of the external context such as authoritarianism, conflict, and terrorism, and aspects internal to NGOs such as their accountability practices.

In each section, the aim has been to provide coverage representative of the breadth of research, rather than claiming to provide exhaustive coverage of all theories, perspectives, regions, countries, issues, and actors. Variations in the understandings of the nature and influence of NGOs in each chapter reflect the broader variations in these understandings in the study of NGOs in world politics: while some chapters emphasize narrower definitions of NGOs, others are more expansive, and while some chapters emphasize NGOs' progressive influences, others are sharply critical.

The volume commences with Norbert Götz's evaluation of the origins of the term "NGO," and the evolution of the actors to which the term applies since the early nineteenth century. The subsequent three chapters consider the roles of NGOs in relation to states, global governance, and transnational non-state politics in turn. Sarah S. Stroup's chapter disaggregates four major aspects of NGO-state interaction – cooperation, conflict, competition, and co-optation – and considers the factors that influence these relationships. Molly Ruhlman's analysis of NGOs in global governance turns to the relationships between NGOs and intergovernmental organizations and the explanations for the variations between different organizations. The final chapter of the first section considers the interactions between NGOs and other non-state actors in transnational politics that bypasses traditional interstate diplomacy altogether and that may facilitate the development of a parallel transnational order to the interstate order among states.

The section on analytical and theoretical perspectives commences with William E. DeMars and Dennis Dijkzeul's consideration of what constitutes NGOs, which both critiques an array of significant analytical works on NGOs in world politics and puts forward a practice theory-based approach. Whereas traditional neorealist and neoliberal perspectives on International Relations have been criticized for their lack of attention to NGOs, Youngwan Kim's chapter elaborates some of the insights from rationalist perspectives on NGOs, including ways in which these perspectives challenge traditional assumptions with respect to NGOs' motives. The subsequent chapter on post-positivist approaches by Jutta Joachim, Chris Nijhuis, and Andrea Schmeiker evaluates how a range of these perspectives, including constructivist, post-structural, critical, feminist, and post-colonial approaches, draw attention both to the transformative potential of NGOs and to their limitations. Christopher Marc Lilyblad's chapter is dedicated to what has arguably become the most influential perspective on NGOs in International Relations, constructivism, and the openings that this approach provides for considering NGOs' roles in the world polity. The subsequent analysis of the aesthetic politics of NGOs by Holly Eva Ryan sheds light on how the "aesthetic turn" in recent International Relations literature helps in understanding and critiquing NGOs' activities.



The following chapters consider the insights from related literatures for understanding NGOs in world politics. Clare Saunders and Silke Roth's chapter evaluates approaches from social movement theory in helping to explain "how, when, where, who, and why" questions with respect to NGOs' origins and influence. Helen Yanacopulos' chapter considers the development studies literature and its role in analysis of how NGOs function and can be explained. Management studies perspectives are considered in David Lewis' chapter, which disaggregates these approaches and their insights into NGOs' methods. Math Noortmann's chapter evaluates contrasting international law approaches to NGOs and their participation in the international legal system. The subsequent chapter by David Horton Smith places the study of NGOs in world politics in the context of the broader study of the voluntary sector that has developed over the last half-century, while the second section's final chapter by Elizabeth Bloodgood considers the primary data available on NGOs and outlines the need for a more comprehensive, collaborative dataset.

The chapter by Paulina García-Del Moral, Di Wang, and Myra Marx Ferree serves as a bridge between the second and third parts, shedding light both on insights from feminist scholarship, and on the influence of feminist NGOs in world politics with specific reference to the campaign against violence against women. Bob Reinalda's chapter on labour NGOs similarly considers both the ideational contributions of these organizations, and the evolution and impact of labour NGOs, in this case with reference to their broad evolution since the nineteenth century. The subsequent analysis of human rights NGOs by Marc S. Polizzi and Amanda Murdie provides both coverage of the contrasting insights of International Relations theories and empirical evaluation of these organizations' strategies, impacts, and challenges.

Silke Roth's evaluation of humanitarian NGOs disaggregates the range of organizations in the sector and the ways in which they seek to achieve their objectives. The subsequent chapters, on education NGOs by Will Brehm and Iveta Silova, and on NGOs in the health sector by Paul Gaist and Victoria Chau, provide contrasting perspectives emphasizing respectively the close relationship between education NGOs and neoliberalism, and the beneficial impacts of NGOs in the health sector. Margarita H. Petrova's chapter considers the significance of peace NGOs since the Second World War and the opportunities provided by the Cold War and post-Cold War contexts. Naghmeh Nasiritousi's evaluation of environmentalist NGOs also considers the political opportunities for NGOs, as well as their contributions to international environmental agreements and the case study of climate change.

Across the many issue-areas with which NGOs have been involved, a growing phenomenon is the development of global private standards, often in conjunction with corporate actors, as explored in the chapters by Alejandro M. Peña, which provides a general evaluation of NGOs in private standards, and by Jonathan Doh, Tazeeb Rajwani, and Thomas C. Lawton, which focuses on trade associations. The role of NGOs in global trade more broadly is the focus of the chapter by Erin Hannah and James Scott, which disaggregates revolutionary, transformative, embedded, and neoliberal NGOs in this domain. Raquel Rego's subsequent analysis of professional associations provides a typology of these associations and consideration of the challenges that these associations face, while Karsten Lehmann's chapter on religious NGOs considers their influence in intergovernmental arenas. Across the chapters on NGOs in different issue-areas in Part III, the great diversity of NGOs' purposes, structures, strategies, and impacts is evident.

The section on regional perspectives combines chapters that focus primarily on transnational NGOs, including those in the United States and in East and Southeast Asia, and chapters that emphasize the activities of local NGOs, including the chapters on South Asia and Sub-Saharan Africa. One of the most prominent features of all of these chapters is the remarkable extent of NGO activities across world regions that is evident, even where the regulatory context is highly

restrictive. The first chapters in this section, by George E. Mitchell on transnational NGOs in the United States, and by Matthias Freise on NGOs in the European Union, place emphasis on the political contexts for transnational NGOs' activities. The role of the post-Cold War context is considered in the chapter on NGOs in Eastern Europe, Russia, and Central Asia by David Horton Smith, Alisa V. Moldavanova, and Svitlana Krasynska, which emphasizes the insights from locally based research collected in their recent edited volume. In their consideration of NGOs in East and Southeast Asia, Lei Xie and Joshua Garland evaluate how despite restrictive laws on associational activities, NGOs in these regions have made use of transnational networks in the pursuit of their goals. Inés M. Pousadela's chapter on NGOs in Latin America provides broad coverage of NGOs' contributions to democracy and development in the region, while Sarah Ben Néfissa's chapter on NGOs in the Middle East and North Africa aims to shed light on NGOs in this context through evaluation of the cases of Egypt and Tunisia and their contrasting experiences since the 2011 Arab uprisings. The final two chapters in the fourth section, Hans Holmén's evaluation of NGOs in Sub-Saharan Africa and Patrick Kilby's analysis of NGOs in South Asia, elaborate on the varied experiences of local NGOs in these regions.

The final section of this book, on contemporary challenges, encompasses both external challenges such as resurgent authoritarianism and internal challenges including NGOs' accountability practices. The section commences with Sarah Sunn Bush's analysis of NGOs' democracy promotion efforts, including coverage of growing restrictions on NGOs' activities in this domain. The relationships between authoritarian regimes and NGOs form the focus of Andrew Heiss' subsequent chapter, which includes coverage not only of how authoritarian regimes may restrict NGOs, and of NGOs' roles in opposing such regimes, but also of NGOs' reinforcement of authoritarianism. The challenges posed by contrasting security contexts form the focus for the next two chapters: while Daniela Irrera considers the problems posed in conflict zones, Omi Hodwitz explores those posed by terrorism and by counterterrorism measures. The final two chapters explore the interrelated challenges with respect to NGOs' legitimacy and accountability: Maryam Zarnegar Deloffre and Hans Peter Schmitz identify "4 Ps" of INGO legitimacy centred on purpose, process, performance, and people, while Angela Crack considers NGO accountability challenges across upwards, downwards, internal, and horizontal dimensions. In each of these chapters, NGOs' responses as well as the nature of the challenges are explored.

## The prospects for further research

The study of NGOs in world politics is now an established field within the International Relations discipline. This is reflected in the growing number of professional networks and organizations dedicated specifically to this goal, such as the British International Studies Association's Working Group on NGOs. The broader study of NGOs has also grown significantly, with more than sixty academic journals and more than thirty scholarly associations currently dedicated to the subject (Smith 2016). Significant advances have been made in understanding the nature, structures, relationships, and impacts of NGOs in International Relations, but as the chapters in this volume indicate, there remain many under-researched topics.

Bloodgood's chapter highlights that there are significant gaps in the quantitative data available on NGOs, and more work is needed to develop data comparable across different national and regional contexts. Qualitative primary data on NGOs is also extremely variable in comprehensiveness and availability: archival records of NGOs, for instance, are often far less complete and readily available than those of public authorities (Davies 2011).

While the literature on NGO interactions with states and intergovernmental organizations is now extensive, the exclusively transnational dynamics of NGOs and their mutual interactions

deserve greater attention. There remains a bias in existing literature towards a focus on large hierarchical international NGOs headquartered in Western Europe and North America, and, despite progress, there remains much more to be done to investigate the international politics of NGOs from the perspective of other world regions. Issue-areas beyond dominant topics such as the environment, human rights, humanitarian assistance, development, and peace also deserve more attention. Although critical perspectives are no longer marginal in the study of NGOs, there remains significant scope for their wider application.

As the chapters in this volume attest, the analysis of NGOs in International Relations has become one of the most dynamic and diverse fields of study today. Although there is now a rich and varied body of literature on the subject, it is hoped that this volume will help to shed light on the many further avenues for research in this domain.

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**Part I**

# History and contributions

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# The emergence of NGOs as actors on the world stage

*Norbert Götz*

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‘Non-governmental organization’ (NGO) is a technical term of international relations that had its breakthrough with the Charter of the United Nations (UN) in 1945. It has come into wider use through the UN system, despite the variety of meanings it carries there, although it has in the past decades – on many informal and sometimes formal occasions – been superseded by the term ‘civil society organization’ (CSO). Other contexts of international relations add to a contradictory picture. For example, in development discourse, NGOs may be distinguished from allegedly more radical and authentic grassroots organizations (GROs), but also, with the opposite tendency, from the private voluntary organizations (PVOs) that provide aid and are run by Western donors. When contrasted with government agencies, NGOs appear to be bottom-up organizations and idea-driven forces for good, but when compared with voluntary associations or social movements, they tend to be understood as technocratic tools of global governance. In contrast to often broadly conceived ‘non-state actors’, ‘non-governmental organizations’ are customarily restricted to the secular, professionally run, and transnationally involved segment of civil society. However, both expressions are lexically based on a similar negation that leaves a considerable range of alternatives. Thus, academic, business, criminal, or religious organizations are occasionally subsumed under the term NGO.

Many authors equate NGOs with international non-governmental organizations (INGOs); that is, they suggest NGOs are organizations based in more than one country. This contradicts the foundational UN terminology and neglects the international agendas pursued by organizations based in only one country. The same principle applied to the governmental sphere would restrict international relations to intergovernmental organizations (IGOs), while excluding national governments themselves – an absurd thought, but one that illustrates the marginal position mainstream international relations discourse (IR) reserves for NGOs. At the same time, ironic acronym extensions such as GONGO, standing for ‘governmentally organized NGO’, or QUANGO, for ‘quasi NGO’, frequently call into question the non-governmental character of NGOs.

For all these reasons, any work on NGOs needs to make choices in regard to its study object – principally that means choosing between a nominalistic and a phenomenological approach. A nominalistic perspective would examine the inauguration of the term NGO at the UN

charter conference in 1945; take all organizations into account that might be described as non-governmental, possibly weighing different uses according to their frequency; and insist on the purely non-governmental quality of its object. The current chapter departs from such a perspective, shedding light on the emergence of NGOs as a term, but then tracing the phenomenon captured by the UN charter back in time, with a brief historical overview until the present. It thereby limits itself to such organizations formally independent of governmental or religious authority that are engaged in moral causes and collective interests rather than profit-seeking, and considers the relation of such organizations to any government a matter of empirical inquiry rather than of prior definition.

Focusing thus on a particular type of organization, but applying an open perspective in regard to time frame and government affinity, limitations of the term NGO are taken into account in order to consider how NGOs emerged as a feature of international relations. First, 'NGO' is a technical expression stemming from international law, which has gained currency in IR while other disciplines and fields use alternative terms for the same phenomenon. Examples include civil society, social movement organization, advocacy network, voluntary agency, think tank, pressure group, non-profit organization, or third sector organization. Second, neither in foreign affairs nor in IR, with their traditional state-centric perspectives, has 'non-governmental' been a neutral attribute. Rather, it has wittingly or unwittingly functioned as a marker of minor significance. This observation applies in particular to so-called realist approaches, but is also an issue with liberal perspectives. Third, despite being well established and boosted in the past four decades by neoliberal economics with its belief in 'new public management' and lean government, the term NGO is frequently negatively perceived and remains controversial. The polemic suggestion, both from within academia and from civil society representatives, to rename governments 'NPOs' (non-people's organizations) illustrates this point.

The following overview begins with a discussion of how the term NGO entered international relations. It continues with a chronological sketch of the emergence of NGOs in the nineteenth century. It then discusses the quantitative development of NGOs until today, periodization issues, and major trends, suggesting a politico-economic perspective in tension with geopolitical IR approaches.

## The creation of NGOs at the UN charter conference

The term 'non-governmental organization' was invented during the First World War. Most significantly, the newly founded League of Red Cross Societies used it to explain its statutes:

While it is expected that the League of Red Cross Societies will establish intimate relations with the League of Nations it should be understood clearly that the former, being a purely voluntary, non-political, non-sectarian, non-governmental organization, has no statutory connection with any League of Nations or with the government.

*(Mr. Davison 1919: 1)*

Unlike this bold declaration, the perspective of another early user of the term, US businessman, politician, and diplomat Dwight W. Morrow (1919: 81), foreshadowed how the concept was introduced to the UN and official perceptions since then more widely. While broadly appreciating transnational activities, he made it clear that he would prefer to deal with IGOs. Forerunners like this did not make the term NGO an immediate success. The interwar years gave preference to a number of alternative expressions such as 'private international organization', 'international association', or 'voluntary agency' (White 1951: 3; Seary 1996).

Only by the beginning of the 1940s did the word ‘non-governmental’ gain some momentum in discussions related to US foreign policy and international organizations. However, while there was a marked increase in the number of transnationally oriented associations after the Second World War, there was no qualitative shift that would have necessitated a new terminology (Chiang 1981: 33). Crucial for the change of language was rather the particular way of framing such organizations at the founding conference of the UN in San Francisco (for greater detail, see Götz 2008: 237–42).

In February 1945, the World Trade Union Conference (WTUC) adopted a declaration that sought accreditation to the forthcoming UN charter conference in San Francisco with the aim of effective trade union representation in all major UN bodies (WTUC 1945: 239). This was later specified as ‘representation in the General Assembly, in a consultative capacity, and . . . full representation with the right to vote, on the Social and Economic Council’ (WFTU 1945: 272). The Soviet government backed the demand, seeking to establish what was to become the World Federation of Trade Unions (WFTU) as a specialized agency with observer status, rivalling the International Labour Organization (ILO) (Russell 1958: 799). The US State Department countered this initiative by introducing a distinction ‘between inter-governmental organizations and non-governmental international organizations’, whereby the latter ‘should not be invited or encouraged to send representatives, but no obstacles would be placed in the way of their voluntarily sending representatives to San Francisco’ (FRUS 1945 I: 153).

At an early stage there, the terms ‘pressure group’, ‘private organization’, and ‘unofficial organization’ were still in use instead of ‘non-governmental organization’ (UNCIO 1945 V: 153–4). The conference documentation reveals that the expression ‘non-governmental organizations’ appeared for the first time after one of the UN Charter drafting commissions had decided to invite a representative of the WTUC (*ibid.*: 206–12). When the steering committee took up the matter, the term ‘non-governmental organization’ marked a difference between the WTUC and IGOs such as the ILO, which had been granted status in San Francisco, serving the purpose of keeping the former out. Thus, in his introductory statement, the US foreign minister warned that ‘nongovernmental organizations would change the basic character of the Conference and moreover would set a new precedent for conferences of this kind’ (*ibid.*: 208). In the discussion that followed, the term ‘non-governmental organizations’ was used solely by opponents of admitting such bodies to the conference and by a speaker providing background information, while those in favour used other words. The most outspoken rhetorical counter-move to the delegitimization implied by the term ‘NGO’ was made by the representative from New Zealand: ‘The W.T.U.C. was more than an intergovernmental body, it was an international body’ (*ibid.*: 210).

Admission of the WTUC to the San Francisco conference was rejected at the meeting by a vote of thirty-three to ten. However, 1,200 voluntary organizations had sent representatives to San Francisco (Alger 1999: 393), and some acknowledgement of their commitment was in line with the US government’s attempt to create a national consensus on the UN that would prevent a disaster like the failed approval for League of Nations membership in 1920. A measure to this effect was the granting of observer status to 160 private US organizations and the attachment of forty-two of their representatives to the government delegation in an unofficial consulting capacity. Drawing on such an inclusive model, a working group of consultants submitted a proposal on the UN Economic and Social Council (ECOSOC) to the US delegation. This proposal used the term ‘non-governmental organizations’, which had by then become part of the conference’s language code (Robins 1971: 86–90, 102–3, 122, 216–18). In view of such a background in the United States, of lobbying labour organizations in the allied countries more broadly, and of external pressure from the Soviet and other governments, Article 71 of the Charter eventually offered a compromise:

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

The eventual openness of US decision-makers was due to the value of NGOs in influencing public opinion, the attempt to benefit from their tangible and intangible resources, and the wish to gain a measure of control over their activities (Snider 2003: 377–9). Although NGO leaders later noted Article 71's 'humble wording' (Shestack 1978: 97) and 'rather condescending terminology' (Fenau 1978: 194), its norm-setting stipulation meant that 'in the UN system, all transnational actors have to accept the label "NGO", in order to participate' (Willetts 2002). While the article's codification of the involvement of private international organizations was an advance in legal terms, it limited the inclusion of NGOs to 'low politics' issues as compared to more far-reaching informal arrangements at the League of Nations. In many organs there, private organizations had enjoyed 'full participation exclusive of the right to vote', similar to the status Article 70 of the Charter grants to specialized agencies (Chiang 1981: 35–9; Pickard 1956: 24–27, 50, 72).

Today the NGO concept is not uniformly applied within the UN system. For example, in the *Agenda 21* document adopted at the 1992 UN Conference in Environment and Development (UNCED, 'Earth Summit'), the term 'NGO' carried no fewer than five different definitions. This conceptual disarray was partly a consequence of leading activists' dislike of the expression 'NGO' (Willetts 1996: 55, 61). However, despite its inconsistencies and surrounding controversies, the acronym has gradually spread from the UN to societal discourse at large. At present it is used in many different ways, often at variance with the nomenclature of international law. Thus, the concept of 'NGO' may be confined to organizations concerned with sustainability and development and to bodies focusing on peace, human rights, and cultural exchange, while trade union bodies are frequently excluded because of their agenda related to established economic interests. However, while the legal and administrative UN term 'NGO' has taken root in political discourse more broadly, it has been on the retreat in its traditional strongholds. Most specialized agencies and programmes in the UN system have in the past decades changed their terminology in favour of 'civil society (organizations)' as the cover concept. Even the UN itself, despite far-reaching adherence to the term 'NGO', prominently addresses civil society on its website, rather than NGOs.

## **The emergence of global civil society in the nineteenth century**

The identification of civil society organizations that pioneered cross-border agency depends, apart from the type of borders taken into account, on the features regarded as defining for such organizations. Various religious orders, charities, missionary bodies, and a few secular organizations have operated across these spaces for centuries and have been regarded as 'ancient forms of INGO' (Davies 2013: 20–2). For unclear reasons, a comprehensive chronological list of international organizations issued by the Union of International Associations (UIA) restricted itself to claiming that the Rosicrucian Order (1693) and the General Conference of the New Church (1783, this refers to the Swedenborgian Church) preceded the first IGO, the Central Commission for Navigation on the Rhine (1816) (Speeckaert 1957: 1). This selection privileges comparatively recent mystic sects (that may be phantasmal international agents) over established

churches. Meanwhile, the spiritual outreach of religious groups differs from the inner-worldly aims of international organizations more broadly. This distinction is not denying that nonconformist denominations were vanguards of civil society, nor does it exclude bodies tackling practical matters such as the World Council of Churches from being a part of global civil society, but it dismisses devotional organizations as such.

Civil society in the modern sense emerged in connection with an open public sphere that was distinct from the state. Consequently, the origins of global civil society are to be looked for at the turn of the nineteenth century (Keane 1988). Some of the associations at that time advanced national or transnational networks and goals. Whereas fraternal affiliations such as the Freemasons remained closed societies, the new type of association tended to be open to anyone who paid the requested subscription fee. As the London Corresponding Society of 1792 exemplarily stipulated: ‘the number of our members [should] be unlimited’ (Stenius 2010: 30–1).

Imperial governance at odds with today’s nation-state structure of international relations complicates the picture. Many authors suggest that the anti-slavery movement of the late eighteenth century was the prototype of current global NGO networks (Charnovitz 1997; Heins 2008; Hoffmann 2006; Reinalda 2009). While the case may be made, in particular in view of innovative campaign methods, two qualifications are in place. First, until the mid-nineteenth century, the goals of the abolitionists were largely confined to transforming the British Empire and they did little to interfere abroad (although their lobbying contributed to the Congress of Vienna’s declaration condemning slavery in 1815). Secondly, current research has a deliberate bias in favour of human rights movements, largely overlooking the prominence of long-distance charity as an issue that likewise involved people at the turn of the nineteenth century. It was in the latter field that US independence gave transatlantic concerns and networks, which had emerged over the eighteenth century, a post-imperial and international character (Moniz 2008, 2016), rather than in that of the more inwardly oriented abolitionist reform movement. The American Anti-Slavery Society came into being only after slavery had been abandoned in the British Empire in 1833, and then adopted a similarly domestic agenda.

Around the turn of the nineteenth century, a number of organizations emerged in the UK that called themselves ‘The British and Foreign *xy* Society’ – most prominently the placeholder stood for ‘Bible’ (1804), and later for ‘Anti-Slavery’ (1839). While these associations included both expatriates of various backgrounds who lived in the UK and foreign correspondents, they did not maintain auxiliary organizations abroad. However, after abolition in the Empire, the British and Foreign Anti-Slavery Society made sense only as a promoter of a global reform programme, one paradoxically linked to the universal moral claims from which British imperialism derived its supposed legitimacy (Heartfield 2016). Similarly, although more peacefully, from its establishment the British and Foreign Bible Society (BFBS) regarded the wider world as a field for the distribution of cheap Bibles and sponsored Bible translations in many languages. The pivotal role of this society as a globally engaged national organization with a permanent design remains largely unacknowledged, most likely because it defies the secular and universal image of NGOs (DeMars 2005: 64). The BFBS installed agencies abroad and propagated the establishment of independent Bible societies in other countries, contributing financially and logistically, and becoming the centre of a loose network that early on included partner organizations in Germany, Switzerland, Russia, Scandinavia, Holland, and France. While the endeavour began as an ecumenical movement, controversies over which Scriptures to include in the Bibles led to its fragmentation by the end of the 1820s. By the end of the nineteenth century, the British and the

American Bible Societies showed tendencies of dividing the world between them. However, the movement carried on and eventually created an umbrella organization, the United Bible Societies, in 1946 (Batalden, Cann, and Dean 2004).

During the Napoleonic Wars, the BFBS provided the social substratum for the group of activists who initiated the first large-scale humanitarian relief effort; at the same time, key figures of this group, such as William Wilberforce, were also luminaries of the anti-slavery movement. The independent committee submitted £250,000 for charitable purposes to various German states, Austrian territories, and Sweden, which were all suffering from war-related destitution. The distribution was left to local recipient bodies composed of civil servants, clerics, merchants, and other dignitaries. There were also exclusive women's committees. In this way, British donors stimulated formations of civil society abroad. They requested that benefits be distributed according to need, and that Protestants, Catholics, and Jews be treated alike. The close interaction of civil society and government that came about is evinced by a Whitehall chapel fundraising event that involved the royal family, and by subsequent action of the British parliament, whose £100,000 grant became part of the relief effort that was distributed through voluntary channels. The leading role German expatriates living in London had in the relief committee illustrates the significance of national affiliations across borders for the emergence of transnational relations more generally (Götz 2014).

The peace movement, for which protagonists with Quaker backgrounds played a particular but not exclusive role, also dates back to the beginning of the nineteenth century. It emerged almost simultaneously in the United States and in the United Kingdom, two states that had been at war with each other between 1812 and 1815, and where reconciliatory ideas fell on fertile ground. By August 1815 in the United States, the New York Peace Society constituted itself, and two similar associations emerged later that year. In London, after an informal meeting in 1814 with the same purpose, the Society for the Promotion of Permanent and Universal Peace was founded in 1816. By 1820, thirty-three peace societies existed in the United States, and approximately a dozen in the United Kingdom. The London Society evolved quickly into a structure of eleven local groups with 2,000 members. By 1830, peace societies had also emerged in the Netherlands, Canada, France, and Switzerland. In the 1840s, a series of international peace congresses commenced that provided a forum for global deliberation. The forums were dominated by British and American activists, despite conference sites intentionally chosen on the European continent to broaden the movement's constituency (W. H. Linden 1987).

Peace activism included both a pacifist strand and one in favour of national liberation struggles. Their tension became apparent during the Greek war of independence from the Ottoman Empire in the 1820s (W. H. Linden 1987). Transnational solidarity at the time included humanitarian assistance proper, and a Quaker committee limited it thereto, but 'humanitarian intervention' with volunteer combatants like Lord Byron and lesser-known figures, money for the purchase of weapons, and shipment of arms dominated the effort. Spreading across Switzerland, Germany, France, the United Kingdom, the United States, and other European countries, the philhellenic movement was active for several years (Bass 2008; Bew 2011; Klein 2000).

Nevertheless, solidarity with Greece was representative for much of the transnationalism of the time, in particular with humanitarian objectives, in depending on the ad hoc engagement of individuals. Committees formed around shifting issues rather than bodies with long-term objectives remained the predominant form of organization long into the nineteenth century (Curti 1963). Even organizations with a permanent design such as the International Shipwreck Society, founded 1835 in Paris and quickly evolving into the first genuine transnational body with a global structure, illustrate this point. Personal idiosyncrasies weighed so heavily on the



organization that it was unable to carry on when its founder was caught in scandals and irregularities. At the same time, the Shipwreck Society is notable for its acknowledgement of inspiration from China, showing that the creation of global civil society was a process more entangled than is commonly acknowledged (Davies 2018).

The deficiency of transnational action during the Great Irish Famine of 1845–52 illustrates the weakness of the temporary form of ‘NGOs’ at the time. Patterns for how to install aid committees, for fundraising, for linking up with distant intermediaries, and for public accountability did exist. However, there was no observatory to continuously monitor food insecurity, or any ready infrastructure for collections and the provision of aid. Thus, almost no transnational relief came about during the first year of distress, and while a considerable, though utterly insufficient wave of charity from all continents mitigated the disaster in the fatal winter and spring of 1847, the aid effort ebbed out by summer that year, leaving Ireland on its own with a reluctant government in London for subsequent years of potato failure. The lack of permanent aid organizations allowed compassion fatigue and the changing political agenda across Europe in connection with the political unrest of 1848 to easily disrupt aid efforts. However, an even greater problem was that few people abroad could have imagined that a powerful government like the United Kingdom would let a portion of its population die for its own service to the principles of free trade and the night watchman state, and that official communication in autumn 1847 suggesting the end of the famine drew on wishful thinking rather than on intelligence from the neighbour island (Götz, Brewis, and Werther forthcoming a). The lack of humanitarian attention to the Soviet Holodomor in the 1930s, the Chinese Great Leap Forward Famine in the 1950s, and initially the Ethiopian Famine of the 1980s shows how difficult it is even for permanent organizations to permeate the veil of government ignorance.

Founded in 1833 in Paris and expanding rapidly in other countries by the mid-1840s, the Society of Saint-Vincent de Paul (SSVP) evolved into the first transnational charity organization that realized its principal long-term objective. What became a global Catholic network (which today engages almost a million volunteers in 150 countries) spread a model for the local provision of relief in connection with visitation of the needy. While its branches worked largely independently and generally owed an overhead fee to their national and transnational umbrella organization, during the Great Famine the larger network instead supported their Irish sister groups and enabled them to quickly expand their number. While other relief initiatives slackened, the SSVP spread its net of auxiliaries throughout Ireland in the latter half of the 1840s, providing an infrastructure for the local middle class to engage with their suffering compatriots. The case illustrates the potential of charitable structures that are more enduring than the temporary committees of the nineteenth century, and even more than religious bodies with their multiplicity of obligations (Götz, Brewis, and Werther forthcoming a). The SSVP is also an example of a transnational organization based on autonomous local interventions, something that makes IR easily overlook such organizations, despite the added value of ‘glocal’ connectivity not just for the dissemination of ideas, but also for material transfer, as the Irish case illustrates.

The Red Cross movement, which emerged in the 1860s, was a major step forward for the global ramification and institutionalization of NGOs. Even today the independent International Committee of the Red Cross remains singular with its achievement of an international legal personality, something transnational civil society continues to aspire to more broadly, and a legal status equivalent to that of an IGO. At the same time, the Red Cross is characterized by a closer relationship of national branch organizations with their respective government than what is common, despite civil society’s frequently blurred demarcation from the state. While



the functions and activities of the Red Cross are universally mandated by the state system, its establishment and governance are independent accomplishments (Debuf 2016: 324). Thus, the 1863 founding conference was the initiative of a charitable association in Geneva, and it was attended by representatives of both governments and civil society organizations, in addition to individuals. The proposals made on this occasion regarding the foundation of national relief societies for wounded soldiers and the principles that should govern them were adopted in the following year at a diplomatic conference and became known as the First Geneva Convention. Its main principle was neutrality and independence vis-à-vis the nation-state system (Boissier 1985), thus providing a paradoxical structure of remedy against the most dysfunctional outcome of competitive practices among nation-states, namely war damages. Notably, the Japanese Red Cross, drawing on an ethic of universal compassionate healing with roots in both Eastern and Western ideas of the early nineteenth century, quickly became by far the largest Red Cross society in the world, and the one that introduced peacetime relief efforts to their repertoire (Konishi 2014).

The General Anti-Slavery Convention, held in 1840 and 1843 in London, preceded the peace congresses of that decade and attracted more attention. They inaugurated a practice of arranging international conferences, 'which was to expand decade by decade almost in geometric progression', and which was to become a basis for the creation of permanent international agencies. Topics of the early congresses were often idea-driven, but included matters of hands-on economic development. Thus, apart from anti-slavery and peace, themes of the conventions of the 1840s were an evangelical alliance, temperance, prison reform, free trade, and agriculture (Maynard 1963: 220). The agendas of peace and free trade were in fact closely intertwined at the time.

From the 1830s onwards, transnational women's networks started to emerge (Anderson 2000), and in the late 1840s the so-called Olive Leaf Societies connected to US peace activist Elihu Burritt's League of Universal Brotherhood might have constituted the first transnational women's organization. These societies started as sewing circles convened to raise funds for the dissemination of peace propaganda, but they soon became forums for joint readings and lectures (Götz 2010: 201). The experience of exclusion from anti-slavery conventions and other early international congresses became a significant impetus for the emergence of a women's rights movement, first in the United States and elsewhere later (Sklar 1990). The World's Women's Christian Temperance Union, founded in 1883, became the first international organization promoting women's suffrage (Keck and Sikkink 1998: 54), and by the end of that decade the International Council of Women was founded as an association working specifically for women's rights. In the beginning of the twentieth century the International Woman Suffrage Alliance and eventually the Women's International League for Peace and Freedom developed more radical feminist and transformative perspectives (Rupp 1997).

Towards the end of the nineteenth century issues of international negotiation became in general increasingly technical, mirroring the scientific and economic advances of the second industrial revolution, and also the emergence of professional and business organizations. In this process, IGOs (then called 'public international unions') and private agencies were established and continuously worked in their fields (Lyons 1963). Moreover, an internationally minded proletariat and labour union movement began to emerge. The International Workingmen's Association was founded in 1864, but split into communist and anarchist halves in less than a decade, to be dissolved a few years later. This so-called First International was followed by a number of subsequent 'Internationals' with differing profiles (M. Linden 2004).

The end of the nineteenth century and the first decade of the twentieth century became thus a time of marked development in the voluntary sector towards the creation of transnational

associations. These outnumbered intergovernmental bodies by far and functioned in many professional fields as catalysts for the establishment of official agencies. By the 1890s, approximately ten transnational organizations were founded each year. In 1910 a peak of fifty-one new such organizations was reached – and not surpassed until after the Second World War (Boli and Thomas 1999: 22). Paris, Brussels, London, and Geneva became the hubs of the transnational civil society of the time, a status these cities maintain today. After the Second World War, New York City emerged as another major place for the headquarters of transnational NGOs. Today, globalization expands the networks of civil society, and cities such as Nairobi, Bangkok, and New Delhi have become top-ranked as sites of connectivity for humanitarian and environmental INGOs (Taylor 2004). Moreover, as the significance of Penang in Malaysia for the international consumer movement since the 1970s illustrates, the Global South exerts transnational leadership in particular issue areas (Hilton 2009: 108).

The locality bears more than geographical significance, and has political and legal implications. For example, Malaysian activist Anwar Fazal propagated more radical consumer perspectives than those common in the West (Hilton 2009: 108) and has also been among the most outspoken critics of the order of discourse implied by NGO terminology (Götz 2008: 245). Apart from the Red Cross, transnational associations have not yet been granted the status of subjects of international law. Thus, their legal position is exclusively conditioned by requirements and practices of their host nation, where they may assume a variety of juridical forms, such as charities, foundations, not-for-profit corporations, trusts, or unincorporated associations. Belgium is a particularly popular host country as it renders the most permissive legal conditions for transnational associations, especially with regard to organizations based abroad (Merle 1988).

## Periods and trends of the 'NGO world'

By 1907, a documentation centre for international and transnational organizations emerged, the Brussels-based Union of International Associations (UIA). It is today best known for issuing the *Yearbook of International Organizations*, an extensive directory that seeks to provide information on all existing IGOs and INGOs. Over the decades, this publication has been the major source for quantitative research on INGOs and internationalism more broadly. Table 1.1 shows the numbers of IGOs and INGOs over time (Yearbook 2017/18: 35–7), and the average annual growth rate of the number of INGOs for the respective period. However, as a quantitative indicator, these figures need to be interpreted with caution. Growth suggests increasing activity, but it might as well be caused by fragmentation into smaller and less significant units (Davies 2013: 6). Moreover, for reasons of comparison over time, the table only includes conventional international organizations and not other significant organizations such as foundations or NGOs with international concerns that are based in only one country.

While the statistical overview of the UIA commences at the advent of the First World War, it was the nineteenth century that saw the emergence of what were later called NGOs. English organizations were forerunners, and other Western European and US organizations followed suit. Political scientists and contemporary historians who portray the twentieth century as simultaneously representing 'a century of NGOs' and a US century (Iriye 1999), apart from being overly United States-centric, fail to take the emergence of NGOs into account. The lack of historical depth inherent in the prevalent narrative of a continuous 'rise and rise' of NGOs, not just in the second half of the twentieth century (O'Sullivan 2014), but also to the apparent highs of the present, call for a more profound understanding of how global civil society emerged, and the ways in which it developed over time.

Table 1.1 Number of conventional IGOs and INGOs (UIA categories A–D)

Year	1909	1951	1960	1970	1981	1990	2000	2010	2017
IGOs	37	123	154	242	337	293	241	241	276
INGOs	176	832	1255	1993	4263	4646	5936	7752	9176
INGO average annual growth rate (per cent)		3.8	4.7	4.7	7.2	1.0	2.5	2.7	2.4

In Michael Barnett's influential *Empire of Humanity* (2011), the years 1945 and 1989 appear to be turning points of humanitarian action, a field that includes relief and development agencies as well as human rights organizations. His critical years illustrate the prominence of geopolitical explanations in IR, and mirror the anachronistic presentism that governs both NGOs and the academic discourse concerning them (Borton 2016). A closer look shows that the temporal framing Barnett employs is as problematic as are his labels. Hence, the epoch of 'imperial humanitarianism', stretching from the end of the eighteenth century until 1945, is an inadequate catchall term for a seemingly remote past. The era of 'neo-humanitarianism' (1945–1989) has a tautological ring and is lopsided as a declared offshoot of neo-colonialism. And finally, 'liberal humanitarianism' (since 1989) conveys a misleading picture of the contemporary scene, which is as distant from a liberal condition as the current paradigm of 'neoliberalism'. Barnett's categorization suggests a progressive trajectory of voluntary action when in fact many practitioners and observers alike oppose the increasing exploitation and manipulation of NGOs by governments and quasi-imperial coalitions. The 'force multiplier' and 'troll farm' being the iconic NGOs of our time, the label 'imperial humanitarianism' fits present attempts at global governance better than was the case even at the height of imperialism, a time when voluntary action was thoroughly embedded in the liberal order of the day.

Thomas Davies, in his *NGOs: A New History of Transnational Civil Society* (2013), suggests another threefold temporal division, with 1914 and 1939, the commencements of the two world wars, as low points that recast NGO development. Apparently, these years have similar geopolitical connotations as Barnett's, but they are less myopic and emphasize cyclic patterns of expansion and contraction rather than a linear teleology. According to Davies, the three historical waves of NGO expansion peaked at the turn of the twentieth century, around 1930, and after 1989. However, although NGOs participated in the arrangements of UN world conferences in the 1990s and the access of national organizations to the UN was relaxed in 1996, the last peak appears chimerical as Davies emphasizes co-optation in neoliberal governance and the emergence of highly specialized agencies while established organizations struggled with declining membership. The actual peak seems rather to have been the 1960s and 'long' 1970s, with innovations such as that of NGO forums paralleling major intergovernmental conferences in the first place, a feature introduced at the 1972 UN Conference on the Human Environment in Stockholm (Götz 2011: 191). Davies does not give names to his larger periods, the construction of which may overemphasize the interwar period, and is unconventional in not presenting the end of the Cold War as a watershed in the history of NGOs or as the beginning of a development resulting in an alleged current apogee or otherwise unique present.

There are more detailed timelines of NGO development. One example is Steve Charnovitz's (1997: 190) suggestion that sees the (very) 'long nineteenth century' as one of NGO emergence, followed by a period of engagement from 1919 to 1934, one of disengagement until 1944, one of formalization until 1949, one of underachievement until 1971, one of intensification until 1991, and one of empowerment thereafter. The varying depth in detail, and somewhat haphazard and normative manner of identifying meaningful categories, makes such

a framework difficult to work with. Moreover, while this chronology does not project the development of transnational civil society into an overall teleology, it does so for the second half of the twentieth century. A ‘power shift’ in favour of civil society was suggested also by others at the time Charnovitz wrote his study (Mathews 1997). However, the goodwill of the UN Secretary-General 1992 to 1996, Boutros Boutros-Ghali (1996: 7), as well as enthusiasm about the new world order after the end of the Cold War and the role NGOs might play in it, has not been honoured by the experience of the past decades. The poor reception of the recommendations of the Panel of Eminent Persons on United Nations–Civil Society Relations (the so-called Cardoso Report 2004) illustrates that this relationship has entered a stalemate in the twenty-first century, despite the lip service politicians frequently pay to civil society.

A principal alternative timeline resonates in many respects with the observations above, but is based on a socio-economic rather than geopolitical reading and identifies therefore different turning points and mechanisms. It draws on a recent attempt of aligning the history of humanitarianism with the broader development of civil society (Götz, Brewis, and Werther forthcoming b). The argument is that politico-economic regimes that have been dominant over the past two centuries profoundly shaped the ways in which NGOs work. This refers to (a) the elitist laissez-faire liberalism of the nineteenth century, (b) the Taylorism and mass society paradigm that prevailed from the turn of the twentieth century until the years around 1970, and (c) the ambivalent blend of individualized post-material lifestyles, media exposure, flexible production and communication regimes, and neoliberal public management since then. In this perspective, the development of NGOs appears as a succession of (a) nineteenth-century ad hoc efforts, (b) twentieth-century organized operations based on planning and economics of scale, and (c) expressive action characteristic of the half-century from approximately 1968 to the present. Some of the literature prefers to see the 1930s, with the crises of those years and the breakthrough of Keynesianism, as another juncture, but the 1930s only reinforced the positivist belief in standardized societal management that had its breakthrough with the social engineering paradigm in the 1890s. At the same time, the rise of international organizations after the First World War resumed a trend the war had only suspended (Iriye 2002: 20). Ultimately, the era of the two world wars and the new global configuration after the Cold War can be seen as having their geopolitical origins in the alliance policies of the 1890s, on the one hand, and the détente and rise of the Muslim world and China from around 1970, on the other – rather than being triggers of their own. This resonates with Glenda Sluga’s (2013) identification of the turn of the twentieth century and the decade of the 1970s as the century’s two periods of pronounced internationalization, something that enhanced the dissemination of new models and practices.

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# NGOs' interactions with states

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For scholars of non-governmental organizations (NGOs) in international relations (IR), the subject of state–NGO relations has been unavoidable. Challenging the state-centric history of the field, research on NGOs in IR has proceeded in two broad waves. In the 1990s, scholars within the first wave directly challenged the dominant focus on states as actors and demonstrated that NGOs influenced both state policy and social practice. Starting in the early 2000s, a second wave of NGO research has taken up a broad array of topics, including the varieties of relationships that NGOs and states can enjoy (Stroup and Wong 2016). Today, states are rarely the sole focus of IR scholarship even as scholars recognize their central role in global politics. For NGOs, the state can be a key regulator, a source of revenue, a target for policy change, a partner in international action, or some mix of the above.

This chapter reviews the substantial literature on NGOs' interactions with states, dividing the discussion into four sections. The first tackles the analytical challenge of identifying the populations of interest, both states and NGOs. For this review of NGO–state interactions and influence, I cast a wide net to include both international NGOs (INGOs) and national or local NGOs. The second section describes patterns of NGO–state interactions, drawing upon existing typologies of NGOs' relations with other actors (Johnson 2016; Najam 2000; Stroup and Wong 2017). Next, I explore the factors that shape these NGO–state relations. The final section examines how and when NGOs influence state practices.

## **States and NGOs in international relations (IR)**

In contemporary global politics, states are both relatively few in number and easy to identify. Granted, the population of states has changed, as the marked growth and decline in the number of states over two centuries is a critical element of the international system (Fazal 2011). In addition, the defining characteristics of states have also evolved, as revealed in the substantial literature on the changing meaning of sovereignty (Krasner 2001; Hall and Biersteker 2002). Still, relative to NGOs, the population of states has been fairly stable. In the twentieth century, the number of states quadrupled (Coggins 2011), but the number of INGOs grew by as much as sixty times (Davies 2014: 6).

By contrast, simply identifying the NGO population is a perennial challenge. IR scholars tend to focus on international NGOs (INGOs), groups that are defined as independent organizations, working in multiple countries, and whose primary aim is to promote common goals at the international level. This standard NGO definition excludes certain groups (social enterprises, national NGOs, some advocacy groups) while including actors that appear tangential to global politics, such as the European Window Film Association. In addition, NGOs are governed at the national, not global, level (Martens 2002), and varied definitions of NGOs, non-profits, and charities (Stroup 2012) make it difficult to separate out INGOs in a uniform way.

NGO scholars have used several ways to delimit the population under investigation. One practical approach is to simply rely on the rules used by existing databases on INGOs, including the Union of International Associations *Yearbook* (Murdie 2014; Bloodgood 2011), the National Center for Charitable Statistics (US), or the EU Transparency Registrar. Another strategy has been to study NGOs by issue area (such as human rights or environmental protection) or by strategy (such as service delivery (Büthe et al. 2012) or advocacy (Prakash and Gugerty 2010)).

The focus in IR on INGOs does not capture the full dynamics of NGO–state relations. INGOs, active in several countries, do seek to shape the policies of states, but they are as concerned with intergovernmental organizations and transnational corporations. Meanwhile, local and national NGOs, such as the Brazilian Worker's Party (Teivainen 2002), are partners of INGOs and important interlocutors with their home states. In fact, many official agencies are abandoning the strict distinction between international and national NGOs.

In short, in an era of policy interdependence, NGOs face a range of political opportunities and overlapping authorities that do not neatly separate into domestic and international spheres (Farrell and Newman 2016). Thus, the subsequent discussion explores the role of both local NGOs and INGOs, drawing from comparative politics as well as IR.

## Patterns of interaction

The image of state–NGO conflict is a powerful one in both popular conceptions and academic treatments, but the actual patterns of NGO–state relations are quite varied. Cooperation might be more likely in activities like service delivery, involving state financing of NGOs, than in instances of NGO advocacy requiring critiques of state policy. Yet functional demands and resource flows are just two possible drivers of NGO–state relations, and a useful typology should describe a variety of outcomes without privileging particular explanations.

We can describe NGOs' relations with states as falling into one of four categories – conflict, cooperation, competition, and cooptation. These types are distinguished according to the ends and means of the states and NGOs involved (Najam 2000; Stroup and Wong 2017). A *cooperative* relationship is one in which the NGO and state share both strategies (means) and goals (ends). A *conflictual* (or confrontational) relationship exists when NGOs have different goals and different ideas of how to achieve them. A *competitive* relationship exists when NGOs and states share the same goals but employ different strategies to achieve them.<sup>1</sup> Finally, *cooptation* exists when one actor's resources are brought to serve the ends of another; here, states and NGOs will share strategies but not goals.

## Conflict

The dominant theme in early research on INGOs was conflict between states and NGOs. Challenging the central place of the state in IR required demonstrating that the power of



the state was limited. NGO–state conflict is perhaps most clearly documented in the literature on human rights, where advocacy NGOs directly condemn state practices. Consider the boomerang and spiral models of NGO–state interaction developed by human rights researchers (Keck and Sikkink 1998; Risse-Kappen et al. 1999). In the boomerang model, activists blocked by their home country government throw their concerns to external activists, who then bring pressure from the outside on the offender government. The spiral model expanded the analysis of this dynamic across multiple stages of domestic–international linkages. Both begin from the premise of a repressive state unwilling to listen to the demands of domestic NGOs, driving those NGOs to find sympathetic partners abroad (Clark 2001; Hopgood 2006).

In general, NGO–state conflict is likely when the two parties differ over the desirability of the ends or goals pursued by states (Johnson 2016). In addition, when states commit to legal or normative principles but then behave in ways inconsistent with those principles, NGOs might call states to account (Keck and Sikkink 1998). Beyond human rights, NGOs in environmental protection, humanitarian relief, arms control, and beyond have directly challenged state practices (Carpenter 2014; Tarrow 2005; Busby 2010). In the 1970s, Greenpeace replaced “staid conservation-oriented discourse” with “impassioned antics” to protest nuclear tests and whaling (Zelko 2013: 4). The foundational myth of the medical relief group MSF depicts Red Cross doctors compelled to speak out against the actions of Nigerian troops in the late 1960s (Redfield 2013). In the 1990s, the International Campaign to Ban Landmines brought together international and national NGOs to shame states for allowing the production and use of indiscriminate weapons (Florini 2000).

### **Cooperation**

States and NGOs also enjoy close, cooperative relationships. The most robust treatment of this cooperation comes from scholars of the development sector, where NGOs and INGOs have been frequent partners in service provision and the delivery of foreign aid. In the 1990s, Northern aid donors increasingly turned to NGOs as conduits for official development assistance. Donors believed that international and local NGOs, unlike their own staff or their local government partners, had a special capacity to deliver aid efficiently while also being accepted as a legitimate form of support for local enterprise and civil society (Edwards and Hulme 1996; Fowler 1991; Zanotti 2010; Brass 2016).

In the mirror image of conflict, states and NGOs cooperate when they share a commitment to goals. If a state’s behavior is inconsistent with its principled or legal commitments, NGOs could condemn those states, as above, but might also cooperate with the state to bring their practices in line with those commitments. That cooperation may be more likely when states lack the capacity (rather than the willingness) to achieve goals like poverty alleviation (Lewis and Kanji 2009) or election monitoring (Hyde 2011). Well beyond the development sector, then, cooperation between states and NGOs can also be robust. Since the 1980s, NGOs have been granted increasing access to international institutions by states (Tallberg et al. 2013; Betsill and Corell 2008; Pallas and Uhlin 2014). This NGO participation may enhance the regulatory powers of states (Raustiala 1997). In the security arena, middle-power states interested in establishing an influential niche work with international NGOs to advance new treaties (Rutherford et al. 2003). In her examination of international climate change negotiations, Betzold (2014) shows that NGOs lobby both influential states as well as responsive states more likely to hear their claims.

## **Competition**

Conflict and cooperation among states and NGOs receive much more attention than the other two relationships, competition and cooptation. While the rise of non-state actors such as NGOs does not necessarily come at the expense of state power, there are frequent instances of competition between states and NGOs. Competition in service provision frequently arises in areas of weak state capacity. In Kenya, Haiti, and Afghanistan, international humanitarian NGOs provide large-scale, formal, and long-term service provision (Rubenstein 2015). At the international level, donor preferences for either bilateral or NGO aid may mean that states and NGOs are competing for outside resources. In post-conflict settings, for example, international actors tend to privilege either elite, state-led capacity building (Barma 2017) or “reconstruction from below” with NGOs (Hillhorst et al. 2010).

NGOs and states can also compete as advocates, as regulators, and as authorities. At inter-governmental organizations (IGOs), INGOs and states compete to influence the choices of various other actors (Tallberg et al. 2013; Avant et al. 2010). For example, states and NGOs are potentially competing sources of information on human rights conditions in Universal Periodic Reviews of the UN's Human Rights Council (Sweeney and Saito 2009). In working to regulate corporate practices in a variety of sectors (Green 2013; Auld 2014), for example, NGO-led private standards often substitute for state regulation. Finally, NGOs and states may compete for legitimacy in the eyes of various publics when engaging in various aspects of global governance. Environmental NGOs that employ direct enforcement tactics against illegal fishing argue that their actions are the legitimate enforcement of international law where states are unwilling or unable to act (Eilstrup-Sangiovanni and Bondaroff 2014). As representatives, NGOs compete with states as legitimate representatives of various voices. In fact, the rise of INGOs in global governance was in part built on the idea of a “democratic deficit” at state-created institutions (Dingwerth 2007; Dryzek 2012; Anderson 2009; Price 2003).

## **Cooptation**

Cooptation in the NGO–state relationship receives relatively little attention within international relations. Weak actors generally receive little attention in IR, and continued state-centrism seems to exclude the possibility that states might serve the interests of NGOs. In the government–NGO relationship, cooptation “is nearly always discussed as what governments try to do to NGOs, and is a universally negative thing” (Najam 2000: 388). This makes cooptation an outcome that may be both rare and difficult to identify. As Scholte (2002: 297) writes, civic activists can become coopted, “even contrary to their intentions and self-perceptions.” States are unlikely to admit their subservience to NGOs and advocacy groups (Busby 2010). Even if rare, assimilation and appropriation within the state–NGO relationship violates many assumptions about state–civil society relationships and demands explanation.

Cooptation of NGOs by the state has received substantial attention in comparative politics and public administration. Government-organized NGOs (GONGOs) employ the NGO organizational form to boost legitimacy and attract outside resources (Mercer 2002; Spire 2011). Salamon (2015) describes the “nonprofitization” of the welfare state around, as various governments outsource welfare provision to NGOs while maintaining strict oversight and control. In IR, cooptation has been taken up in several ways. It is a constant concern for NGOs whose legitimacy turns on their independence (Steffek and Hahn 2010). For example, in the Iraq war, NGOs that worked with the United States to ensure the “coherent” delivery of humanitarian aid were accused of being coopted by belligerent states and sacrificing their neutrality (Stoddard 2006). In the development

sector, critics argue that the “good governance” agenda of the 1990s involved welfare provision by coopted NGOs that reinforced processes of social control rather than empowerment (Manji and O’Coill 2002: 579). Reimann (2006) showed that the Japanese state led the creation of an INGO sector but often seeks to coopt the groups.

Can states be coopted by NGOs? In Bangladesh, critics of microfinance argue that NGOs like BRAC serve as a shadow state, commandeering the repressive powers of the state as well as the traditional power of the community (Karim 2011). In Malawi, the requirements of international donors supporting HIV/AIDS interventions direct the way in which state resources are employed (Swidler 2006). While NGO cooptation of the state may be more likely in post-colonial contexts of state weakness, globally powerful states may also see their resources or institutions in service to NGOs. For example, in the United States, the State Department’s Bureau of Democracy, Human Rights, and Labor has been referred to as the “NGO inside the building” for its support of “the NGO agenda” (Stroup 2012: 35).

## **Factors shaping NGO–state relations**

While sustained cooptation may be relatively less common, the patterns of NGO–state relations are as varied as the populations of NGOs and states. IR scholars have made great strides in identifying the range of factors that shape NGO–state relations. At least four dimensions are important – the issue area, NGO characteristics, state-level factors, and the flow of resources.

### ***Issue area***

The above catalog of NGO activities across a range of sectors should dispel the notion that issues like human rights promotion or environmental protection necessarily place functional demands on NGOs that privilege certain approaches toward states. While certain strategies – like the construction of transnational networks (Keck and Sikkink 1998) – may appear obviously successful, scholarship from a variety of intellectual traditions reveals that our understanding of appropriate and effective NGO strategies emerges through social and political processes (Neumann and Sending 2010; Krause 2014; Watkins et al. 2012; Reimann 2006).

Across sectors, emergent issues tend to begin with confrontational condemnation of state failure, followed by negotiation and compromise with the state (Tarrow 1994). Yet, as discussed above, cooperation may be more frequent in development, while conflict may dominate in human rights. In environmental protection, state delegation to INGOs for enforcement of international law is rare; instead, INGOs compete to design new private environmental regulations (Green 2013). In human rights (Simmons 2009) and environmental protection (Betsill and Corell 2008), INGOs devote substantial attention to international laws and organizations. This leads INGOs to target certain parts of the state, favoring diplomats and externally oriented bureaucrats over local officials.

The importance of NGOs to the state may also depend on the size of the NGO population, which can vary by issue area and across time (Bush and Hadden 2017). The substantial population of INGOs in international relief and development is basically unavoidable for both donor and host states. By contrast, NGOs dedicated to global finance and security are relatively rare, perhaps resulting from state hostility to civil society input on these issues (Price 2003; Dryzek 2012; Scholte 2013). Depending on changing norms of good practice within sectors and across NGOs, existing patterns in state–NGO relations are subject to change.

### ***NGO characteristics***

Even faced with specific functional demands or the varied institutional environments described below, NGOs can still have substantial freedom to select various approaches to states. Three particular features of an NGO are likely to shape its strategic approach to states – its principled commitments, its authority, and its peer influence.

NGOs are presumed to exist separate from states, but in practice, an NGO's "non-governmental" nature may be more or less important. In the humanitarian relief sector, independence from states and other actors is ostensibly a foundational principle, yet some NGOs are less concerned with defending the process by which they engage with states (Stoddard 2006), and adherence to the principle of independence has been uneven (Barnett 2011). Some groups like MSF and the ICRC do still choose to vocally proclaim their independence (Forsythe 2005; Redfield 2013), reflecting in part their different principled commitments.

NGOs also vary in the authority that they enjoy, and concerns over their status may drive them to choose particular strategies with states. Leading or gatekeeper INGOs (Bob 2005; Carpenter 2014) tend to collaborate with states more frequently than their lesser-known peers (Stroup and Wong 2017). Obscure NGOs with little access to policymakers may proclaim their independence as a marker of their legitimacy and default to harsh criticism of states. The principled commitments above might thus reflect NGOs' pragmatic concerns about defending their credibility (Gourevitch et al. 2012).

Finally, NGOs are subject to various pressures from their peers, which can shape their strategic approach to states (Prakash and Gugerty 2010; Raustiala 1997). Hadden (2015) argues that NGO adoption of contentious protest tactics emerged via diffusion through NGO networks. Alternately, Lecy et al. (2010) argue that NGOs face a segmented advocacy market, in which various tactics appear to limited audiences. These different accounts imply more or less NGO capacity to inform the preferences of their supporters.

### ***State characteristics***

NGO–state relations depend in large part on the particular characteristics of the state. Scholars have identified level of development, regime type, and domestic regulatory structures as important state features that shape the NGO–state relationship. Consider development first. Whether differentiated as developed/developing or North/South, a state's interaction with NGOs will be conditioned by the types of local demands for NGOs. In poverty reduction and beyond, Northern NGOs headquartered in industrialized democracies face opportunities for advocacy and gather resources to send abroad, while Southern NGOs (both local and INGOs) deliver services, promote political and social change, and build the capacity of the local government (Lewis and Kanji 2009: 12–13). The trajectory of particular developing countries can also shape the strategies of environmental advocates, as in Brazil (Hochstetler and Keck 2007).

Regime type also alters state–NGO relations. The sizeable comparative civil society literature documents a range of relationships between states and private associations (Salamon et al. 2017; Anheier 2014), but democratic polities founded on principles of citizens' self-rule are more amenable than authoritarian states to citizen participation in private associations like NGOs (Smith and Wiest 2005).

This could suggest that NGO–state conflict is more frequent in authoritarian settings. Groups like Amnesty International thus focus their reporting on countries with more severe human rights abuses (Ron et al. 2005), while environmental NGOs may shame democratic states less

frequently (Murdie and Urpelainen 2015) or face severe restrictions on their activities (Henry 2010). The spiral model of human rights change (Risse-Kappen et al. 1999) is built on the idea of an authoritarian state initially unwilling to consider domestic NGOs' claims. Yet regime type is an imperfect guide for understanding any one state's NGO relationships. Rohrschneider and Dalton (2002) find that level of democracy has little effect on levels of NGO activity in the environmental sector. In addition, in both IR and comparative politics, recent scholarship has explored the frequency of cooperation between autocratic regimes and NGOs. In relationships of "amicable contempt" (Heiss 2017), NGOs and autocratic states can both threaten and support the existence of the other. In election monitoring, for example, pseudo-democratic regimes may invite in election observers at risk of critique in an attempt to access outside resources (Hyde 2011). Human rights NGOs selecting locations for their permanent office may employ a "Goldilocks" logic, selecting regimes that are not too repressive but also not too open (Barry et al. 2015). For reasons that may have more to do with the NGO than with the state, democracy-promotion NGOs have been able to maintain their presence in autocracies through "regime-compatible" programming (Bush 2015).

Finally, because of the great diversity of NGO–state relations across economic and political categories, IR scholars have brought renewed attention to the institutional settings provided by the state that help shape different "varieties of activism" (Stroup 2012). Several dimensions of state structures shape NGO–state relations (Prakash and Gugerty 2010). For example, membership in NGO-like private associations declines with higher levels of statism (the centralization of power and dominance of the status apparatus) (Schofer and Fourcade-Gourinchas 2001). Bloodgood et al. (2014) also find systematic differences in the regulation of NGO registry and political and economic activity across several dozen OECD countries, with corporatist systems more restrictive than pluralist ones. These environments shape the way NGOs approach states and IGOs (Stroup and Murdie 2012; Andonova et al. 2017).

State approaches to civil society affect not only the composition of the NGO sector at home, but also the states' influence abroad. As DeMars and Dijkzeul (2015: 292) argue, the "accelerating global proliferation of NGOs today is *prima facie* evidence of the successful inscription of Western pluralism on the world, as much by attraction as by projection." Still, while democracy may enable NGOs to set up shop and engage in external action, many other factors (discussed below) shape the content of NGOs' transnational activities (Hanegraaff et al. 2015).

In addition, these political environments are not immutable. At the national level, the design and implementation of state approaches toward NGOs can be shaped by NGOs themselves (Teets 2014). In Kenya, NGOs "have come to comprise part of the *de facto* organizational makeup of the state" (Brass 2016: 3). At the global level, global dynamics can substantially alter state–NGO relations. For example, in the 1980s, in African states weakened by structural adjustment and democratic transitions, vast new spaces became available for NGOs (Fowler 1991; Robinson 2017). More recently, NGO–state relations have been deeply affected by a wave of civil society clampdowns (Christensen and Weinstein 2013). In Egypt, India, Russia, Ethiopia, and beyond, states have instituted new restrictions on NGO activities, including stricter registration and reporting requirements and limits on foreign funding to domestic NGOs (Dupuy et al. 2016; Chaudhry 2016).

### **Resource flows**

The source of NGO income plays a key role in NGO–state relations, as the partners and targets of NGO efforts can also be the hand that feeds them. Government support to INGOs has grown substantially over the past several decades. The privatization of many state functions and growth

in the number of potential NGO partners have encouraged many NGOs to seek steady financial support from states (Edwards and Hulme 1996; Mitchell and Schmitz 2014).

A substantial body of work describes how government funding affects NGOs' strategies. Interest in maintaining access to funds can drive INGOs to design programs more in line with the preferences of the donor (Ebrahim 2005; Gent et al. 2015; Krause 2014). There are also effects on the NGO relationship with host states. Reliance on official or government resources can promote more conciliatory programming that complies with rather than challenges authoritarian regimes (Bush 2015). Because official aid agencies encourage NGO professionalization and service provision, NGOs are less involved in the sort of interest mobilization and grassroots advocacy that might challenge host states (Lang 2013; Banks et al. 2015; McMahon 2017).

Given this evidence, analysts have long warned of cooptation. Yet the effects of official aid are conditioned by the volume of funds, the diversity of NGO income streams, and the requirements of donors. A growing share of official aid channeled through NGOs may reflect the weakness of donor agencies rather than an intention to coopt NGOs (Cooley and Ron 2002; Lancaster 2007; Dietrich 2016). Many NGOs have also cultivated a diversity of income sources to avoid capture by specific donors (Mitchell 2014). Finally, donors can attach different conditions to their support for NGOs. For example, the recently terminated Partnership Programme Agreement in the UK offered both substantial and unrestricted support to a small group of INGOs (Stroup 2012). Donors' varied preferences around bypassing host states and program design shape the financing of NGOs.

States and NGOs are not unitary actors, which complicates analysis of their relationships. Oxfam's advocacy division may be issuing harsh critiques of the UK Treasury while Oxfam program officers are working closely with the Department for International Development in the field. Ultimately, the contours of any one state-NGO relationship – conflictual, cooperative, competitive, and cooptive – depend on the issue at hand, the priorities and power of the NGO, the wealth, freedoms, and regulations of the state, and the financial ties (if any) among the two actors.

## Influence

NGOs and states increasingly interact as the size and prominence of NGOs has grown globally. Who influences whom? The first wave of NGO research in IR documented instances of INGO influence to critique the exclusive focus on state actors (Price 2003). These studies, critical in opening the door to NGO researchers, also selected on the dependent variable by taking up positive cases of INGO influence on states and IGOs. Most NGO research today instead seeks to unpack how, when, and why NGOs shape state policy and practice.

There are three big problems in studying INGO influence: it may not exist, it is difficult to document, and INGOs themselves may be reticent to claim credit. First, some scholars use this to dismiss the importance of NGOs. Samy Cohen (2005) highlights the capacity of “post-modern” states to adapt to globalization, and posits that most NGOs lack the ability or desire to influence governments. Drezner (2008) argues that NGOs and other private actors play a limited role at best in regulating the global economy. In some sense, these skeptical accounts are valuable correctives to the unrealistic hopes placed in NGOs to powerfully and perfectly represent a range of voices from a position of unconstrained independence (Dany 2012), but most NGO research recognizes the potential if not actual influence of NGOs.

Second, as is characteristic in all research on the role of private interest groups (Hojnacki et al. 2012), scholars of NGOs struggle to isolate the effects of NGO action in a dynamic policy process (Busby 2010). Third, NGO access and authority can depend on a perception that they



are apolitical or weak, leading many INGOs to downplay their influence. In service delivery, many NGOs present themselves to their host states as meeting environmental or health needs with precise and beneficial programs that have no broader political effects (DeMars and Dijkzeul 2015; Manji and O’Coill 2002). For other INGOs targeting powerful states, their authority can rest on a perception that they are righteous but weak (Rubenstein 2015; Stroup and Wong 2017). It is thus possible that existing research offers a conservative estimate of NGO influence.

Other chapters in this volume offer more specific discussions of NGO influence in various regions and issue areas. Much of the early literature on INGO influence focused on their role as norm entrepreneurs that redefine state identity and interest (Finnemore 1996; Price 2003; Florini 2000). We can also conceive of INGOs as entering different stages of the policy process, including issue emergence, agenda setting, policy design, implementation, and monitoring (Avant et al. 2010; Weiss 2016).

Carpenter (2007) has drawn attention to the role of INGOs in issue emergence and the fact that many problems are “lost causes” (Carpenter 2014), never taken up by states or IGOs. As the politics of INGO networks determine which issues emerge, particular INGOs frame and then take these issues to the policy agendas of powerful states (Bob 2005; Clark 2001; Florini 2000). NGOs also design policies. In climate change, HIV/AIDS, debt relief, and global justice, INGOs can drive policy gatekeepers to adopt moderately costly policy changes when the issues are framed to align with existing values (Busby 2010). The NGO Article 19 used its expert and moral authority to successfully design freedom of information laws (Berliner 2016). Global and local NGOs have driven health policy in Malawi, Nigeria, and Senegal (Robinson 2017). In the implementation phase, NGOs can fill capacity gaps or amplify state efforts. Joint military and INGO action in humanitarian aid can help distribute costs and improve the human rights and security of the affected population (Bell et al. 2014). NGOs can act as agents for state principals in implementing health programs (Dionne 2018; Murdie and Hicks 2013) or democracy aid (Bush 2015). Finally, NGOs may be particularly influential as monitors of state behavior. Franklin (2008) shows that criticism can lead to short-term reduction in state repression in Latin America. Non-democracies may be particularly susceptible to the effects of INGO shaming (Hendrix and Wong 2013). In environmental protection, INGOs strategically fill governance gaps by targeting states with relatively low domestic environmental activism (Murdie and Urpelainen 2015).

NGOs can affect various stages of the policy process at states. Two final insights from the extant research deserve note. First, influence has no normative content – a strong influence over states from NGOs can yield dysfunctional outcomes or bad policy. Second, a lack of INGO influence over states may reflect not INGO weakness but rather a proliferation of possible targets for INGOs. Today, states are *an* (but perhaps not *the*) important target for NGO activity.

## Conclusion

Among the many disciplinary approaches to the study of NGOs, IR scholars are particularly well situated to understand the diversity of relationships among states and NGOs. While NGO research took off in IR as part of a critique of state-centrism, research now reveals a much more complex picture than critical NGOs limiting state autonomy. States and NGOs interact in an increasingly crowded field of global governance, struggling to influence both one another as well as the practices of intergovernmental organizations and corporations.

Research on NGO–state relations today proceeds through an exciting and diverse array of lenses. For example, as IR takes up many other actors besides states, scholars have revisited the fundamental concepts of power and authority, often explicitly exploring the forms of power



and authority exercised by NGOs (Barnett and Duvall 2004; Avant et al. 2010). NGOs have the ability to produce categories of meaning and draw upon their expertise and moral authority. Other scholars have turned away from actors altogether and examined practices in global politics, including those adopted or promoted by NGOs (DeMars and Dijkzeul 2015; Neumann and Sending 2010).

These lines of inquiry, combined with continued attention to variation among NGOs, promise to reveal new dimensions of NGO–state relations. Are declining growth rates in the INGO population (Bush and Hadden 2017) and increasing restrictions on INGO activities by host states (Dupuy et al. 2016) indicative of larger changes in the demand for or legitimacy of NGOs? Alternately, will expanding legitimacy of NGOs or continued demand for their services mean that more governance tasks will be taken up by NGOs instead of states? Research on NGOs no longer happens in the shadow of the state, but instead demonstrates how specific NGOs and states work around, through, and over one another. The rich empirical record that has emerged not only demonstrates the diversity of the NGO sector but also raises fundamental questions about the role of NGOs in constraining or enhancing the power and authority of states.

## Note

1 Najam (2000) refers to this relationship as one of complementarity. This is a slightly different and arguably more optimistic assessment of side-by-side activity that might reflect a de facto division of labor. My own view is that NGOs and states are more frequently viewed as substitutes rather than complements, though this likely reflects an IR scholar's heavier attention to regulation and advocacy rather than service delivery.

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# NGOs in global governance

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## Introduction

The very concept of global governance is a puzzle. There is no central government, but a dense web of rules and institutions stretching across an anarchic system. Without a central organizer, governance is multilayered, diverse, fragmented, and interesting. The public, private, and civil society spheres combine and collide in creative ways. As a result, diverse participants use a mixture of norms, rules, and tools of pressure or persuasion to influence one another. Yet, for several formational decades, the study of global governance focused on nation-states to the exclusion of non-state actors. Global governance thus became primarily a study of state-centric multilateralism.

A more comprehensive study of global governance is emerging, one that harkens back to a time before the rise of state-centric IR theory, when the distinction between nongovernmental organizations (NGOs) and intergovernmental organizations (IGOs) was peripheral (Rochester 1986), and scholars wrote about an “internationalism” that was both public and private at the same time (Davies 2017). This chapter highlights the benefits of this turn toward pluralism (Willetts 2011), but begins by collecting what we have learned about NGOs in global governance from more traditional perspectives.

First I briefly describe the roles that NGOs have played in post-war multilateral governance institutions, focusing on how NGOs that are older than the United Nations were impacted by its creation. This is followed by an overview of the ways in which NGOs can interact with IGOs, and what recent studies tell us about the evolving state of NGO-IGO relations. I then turn to a review of scholarship explaining why rules about NGOs vary across institutional structures and time. Taking stock of what we know, I then turn to what we don't.

Looking toward the growing edge of this research agenda, I situate accumulated knowledge within a broader context of changing global governance theory and practice. Formal and informal opportunities for NGO participation and influence have expanded, while the IGO system itself has undergone changes that affect NGO participation opportunities. Finally, I argue that to fully understand the impact of NGOs on global governance we need to move away from thinking of NGOs as parenthetical and recognize the limitations of state-centric approaches to IR.

## Observing NGOs in global governance

The typical storyline for describing modern global governance begins at the end of World War II. If we start with the writing of the UN Charter, then Article 71's invitation to the Economic and Social Council (ECOSOC) to establish consultative arrangements with NGOs is a bold new start to NGO participation in global governance. But according to many voluntary associations that had participated in the work of the League of Nations, Article 71 only codified what existed as informal practice before the war (Charnovitz 1997; Pickard 1956). This is a useful historical example to begin a review of the roles that NGOs play in the modern global governance system, and the interactive effect of rules, recognition, and expectation.

Formal rules are harder to deny than informal ones, but formal rules can also establish mechanisms of control. Article 71 constrains NGOs to the institutionally weak ECOSOC, which manages the selection process, monitors NGOs with accreditation, and occasionally suspends or even expels NGOs – all mechanisms of control that have expanded over time (Otto 1996; Ruhlman 2015, 46–8). ECOSOC serves as “the first hurdle for NGOs to gain access” to the UN system (Martens 2004, 81), and the tendency of governments to use the process to exclude particular NGOs has earned the NGO Committee the nickname “anti-NGO committee” (The International Service for Human Rights 2017).

On the other hand, while informal practice can be easily curtailed, such as it was in the later years of the League of Nations (Charnovitz 1997; Gunter 1977; Otto 1996; Pei-heng 1981), formality assures recognition. The “dignity of officialdom” (Pickard 1956) begets respect. So, while voluntary associations themselves were not new in 1945, the changing terminology and ascendancy of the term NGO, along with the public recognition of this actor as a legitimate sector in international politics, created the sense that an unprecedented international actor was born (Davies 2014; Gotz 2008).

The new reputation of “NGOs” as a recognizable consultative UN partner launched private associations onto a new path, empowered with a recognized title and global acknowledgment. Thus, NGOs do not have to be neoteric to be newly important. Renewed public recognition facilitated the emergence of a strong norm of NGO recognition, inclusion, and participation in global governance processes, so that by the 1990s NGOs obtained a “taken-for-grantedness” (Marberg, Kranenburg, and Korzilius 2016). Institutions of global governance today are expected to share some information with NGOs, or include them in the work that they do, and nearly all international organizations offer some means of NGO engagement in their rules (Tallberg et al. 2014).

There are several ways that IGOs and NGOs may interact, and authors have employed many definitions of engagement, participation, or access. To start with, there are different sorts of interaction possible at each stage of the policy cycle (Steffek 2012). Further, we can differentiate between what NGOs are allowed to do, such as listening, speaking, or deciding. The result generally looks something like Table 3.1, although quite a range of activity remains within each category.

In addition, each of these kinds of interaction might be formal or informal, extended selectively to small numbers of NGOs or broadly to many, and linked to an IGO's secretariat or its assembly of states. For example, in 2000 the UNDP Administrator, Mark Malloch Brown, created a Civil Society Organization Advisory Committee. This Committee was an informal innovation, formed by individually inviting representatives of civil society organizations to serve together in an advisory capacity at UNDP headquarters. It increased the voice of civil society representatives, potentially influencing high-level decision-making within UNDP, but the innovation was dependent on UNDP Administrator support, which fluctuated over time (Ruhlman 2015, 114–17). In contrast, all NGOs with ECOSOC accreditation have observation rights at UNICEF Executive



Table 3.1 Types of nongovernmental participation in intergovernmental organizations

	<b>Decision-making</b> <i>Deliberation about, and selection of, policy or programming options</i>	<b>Implementation</b> <i>Deliberation about the means of enacting chosen policies or programs, and participation in execution of tasks</i>	<b>Accountability</b> <i>Mechanisms of review and oversight, process to seek remedy for grievance</i>
<b>Transparency</b> <i>NGOs have access to information, or opportunity to observe</i>	Disclosure of documents and records, possibly opportunity to attend and observe meetings	Disclosure of documents and records, possibly opportunity to attend and observe meetings	Disclosure of documents and records, possibly opportunity to attend and observe mechanisms of institutional oversight
<b>Voice</b> <i>NGOs provide information</i>	In addition to ability to attend meetings, an opportunity to make statements (written or oral). Most robust includes membership and right to participate fully in discussions	Consultation, and cooperation, with civil society groups and NGOs in the field prior to and during implementation	Ability of NGOs to submit information to oversight mechanisms, and to report to panels, investigators, or ombudsman
<b>Vote/Action</b> <i>NNGOs participate in decision-making, or hold institutional powers similar to states</i>	Representatives from civil society hold some institutional power to participate in decision-making, such as a vote	Full partnership with civil society or NGOs in the implementation phase. Possibly delegation to NGOs	Representatives from civil society hold institutional power to influence final decision of oversight body, such as a vote

Board meetings, where they can request an opportunity to make a statement. Further, at all UNICEF Executive Board meetings a representative of UNICEF’s NGO Committee has a formal opportunity to make a statement. Roles and authority may be even more equal between NGOs and states in hybrid organizations, or public–private partnerships (Andonova 2017).

In addition to intra-institutional participation, NGOs might influence IGO behavior from the outside, which means that even if they are entirely excluded from IGO processes, NGOs may still impact IGO behavior. For example, NGOs may shape system norms (Willetts 2011), shift the dominant frame (Allan and Hadden 2017), alter an IGO’s reputation or even the standards by which IGO reputations are constructed (Belloni and Moschella 2013), or shift the interests or behaviors of participating member-states.

This chapter, however, is primarily interested in the kinds of NGO–IGO engagement included in Table 3.1 above. There is evidence of an expansion of each of these intra-institutional sorts of interaction across the global governance system, although differently across issue areas. For example, if we look just to the regime of environmental governance, which is highly fragmented (with more than 1,200 multilateral environmental agreements),<sup>1</sup> we find a strong norm of civil society inclusion, as a “permanent fixture,” in decision-making (Green 2017, 401).

At the 1992 UN Conference on the Environment and Development, which drew an unprecedented number of participating NGOs (Van Rooy 1997), non-state actors were organized for their contributions into nine constitutive groups. This method of organizing consultation was inscribed in the conference outcome document Agenda 21, with language highlighting the importance of genuine participation of stakeholders. Because of its strong statement about the rightness of including social actors in international institutions Peter Willetts has called Agenda 21 a “charter for democracy” (2009, 75). This principle and practice of Major Group consultation then transferred to the Commission for Sustainable Development (CSD) (Bigg 2001), the CSD’s successor, the High Level Political Forum on Sustainable Development, and the UN Environment Program (Morrow 2015; Ruhlman 2015).

Beyond the Major Group consultation process, NGOs are also very active outside formal negotiations in the environment and sustainable development regimes. Side events provide opportunities for intra-NGO community negotiations, facilitating the formation of common goals and strategies, as well as individual NGO capacity building (Hjerpe and Linnér 2011). This helps NGOs communicate a strategically developed frame when they participate in negotiations with nation-states. For example, NGOs engaged in the Paris negotiations strategically shifted their frame toward matters of justice, which helped build new coalitions with the Global South and steer the attention of nation-states toward addressing the adverse consequences of climate change. The shift to a justice frame pushed the conversation toward matters of loss and damage, and made it difficult for states to set aside the subject of disparate consequences of climate change faced by the most vulnerable (Allan and Hadden 2017).

The climate change and sustainable development regimes are good examples of arenas of complex governance. There are no singular central sites of formal authority, but diffuse forums, multiple venues for negotiation, and several orchestrating actors such as UNEP, the High Level Political Forum on Sustainable Development, and the UNFCCC. The multiplicity of ways that NGOs engage in the many processes demonstrates the importance of an expanded view of power. NGOs wield influence even when they do not hold a vote on final outcomes or resultant treaties.

This is also very clear in the human rights regime. Every advance in the recognition or protection of human rights has been ushered in with the active engagement of civil society. Social movement organizations worked tirelessly to abolish slavery, to establish international laws to ameliorate the brutality of war, and to expand norms and laws protecting individual freedoms. Modern NGOs are deeply engaged in the global governance of human rights, and the human rights regime is particularly open to NGO engagement (Tallberg et al. 2014). NGOs are especially active in the agenda setting, implementation, and monitoring phases of human rights governance. In comparison with the environmental regime, though, NGOs continue to face resistance by some governments to extensive rights of participation in decision-making. For example, just after the UNCED conference where the engagement of NGOs increased (and the precedent to sustain participation rights for the future was established), the 1993 World Conference on Human Rights took a different tack and largely excluded NGOs from official discussions (Otto 1996). NGOs are persistent, though, and utilized many tools of influence on conference proceedings even when not granted direct participatory rights (Otto 1996).

Aware of government resistance to NGO criticism, they have wielded the weapon of overwhelming documentation of human rights abuses to successfully push for the creation of many expert-led (rather than state-led) mechanisms of human rights monitoring (Gaer 1995). The resulting supervisory bodies work closely with NGOs, relying on them for much of the documentation supporting their work (Gaer 1995), while government-led bodies such as the Human

Rights Council have been less open to NGO participation (McGaughey 2017; Moss 2010). NGOs predicted this, which is why organizations such as Human Rights Watch proposed that the Human Rights Council's Universal Periodic Review process include a special rapporteur or panel of experts that would take NGO submissions (Sweeney and Saito 2009, footnote 14).

In contrast to the human rights regime, where NGOs are known to be especially active, the global trade regime is seen as especially closed to NGO participation. Despite its reputation as fully excluding NGOs from any means of participation, however, many have been active in the WTO system (Murphy 2012). NGOs were allowed to attend ministerial conferences after the creation of the WTO in 1995, but did not do so in great numbers until the 1999 meeting held in Seattle, after which the WTO began to "actively engage" non-state actors (De Bièvre and Hanegraaff 2016).

Formal opportunities to participate in the WTO system are limited, but NGOs are important players in the process. They actively expand the trade agenda, raise capacities of governments, and build coalitions to impact outcomes (Murphy 2012). The most direct way to participate in the heart of decision-making is to be invited by a member-state to participate in an official delegation (O'Brien 2000). This role of gatekeeping by member-states is powerful in dispute settlement as well. Although the Dispute Settlement Understanding does not grant NGOs any participation opportunities, NGOs attempt to influence dispute settlement by submitting amicus briefs (Dunoff 2004). While these briefs have been generally admitted, in practice they are only considered when adopted by a state party to a dispute (Dunoff 2004). Overall, though, the central site of trade governance has shifted from the WTO to regional trade negotiations, where influencing national governments becomes the primary mechanism for impact.

In general, there has been tension within the trade regime between economic principles of trade liberalization and environmental governance goals (Esty 2001), which facilitates a culture of keeping NGOs at arm's length. This has also been true of the other two major economic organizations, the International Monetary Fund (IMF) and the World Bank. While environmental matters are inherently intertwined with trade, as is human rights with development, these organizations are principally economic and environmental or human rights concerns have not been central to organizational decision-making, or goals (Esty 2001; Sarfaty 2009). Concomitantly, the Bretton Woods institutions have had contentious relationship with NGOs, which have rejected the environmental consequences of large-scale development projects, such as the construction of dams, since the 1980s. Efforts to improve relations with civil society groups have often seemed reactionary, as an attempt at damage control and reputation repair, once sustained campaigns against the World Bank and IMF became routine (Belloni and Moschella 2013; Bräutigam and Segarra 2007).

Still, the IMF and World Bank have each taken steps to increase civil society participation, and especially transparency (Woods and Narlikar 2001), in the last three decades. In the early 1980s the World Bank created a World Bank-NGO Committee, and began encouraging greater engagement of NGOs at the local level (Bräutigam and Segarra 2007; Woods and Narlikar 2001). The Bank established an inspection panel in 1993, which Ngaire Woods and Amrita Narlikar called "the most powerful and unprecedented step towards greater horizontal accountability taken by any of the international economic institutions" (Woods and Narlikar 2001, 576). The shift toward acceptance and engagement of civil society and NGOs became especially clear at the IMF in the late 1990s. Since 1998, aiming to repair a tarnished reputation after the Asian financial crisis, civil society organizations came to be viewed by the IMF as a primary audience of its external communications (Belloni and Moschella 2013, 544). No formal participation roles in decision-making have been granted, but efforts toward more transparency, consultation, and accountability expanded.

This brief, selective, tour of ways NGOs participate in global governance has been like a flashlight in the dark. It is difficult to have a full view of the roles that NGOs play in international institutions, or the impact that their activities have on global governance. Descriptive case studies have informed us about the mechanisms through which NGOs may wield influence, and the barriers to their impact, but with the deficiencies of selection bias, it has been difficult to make broad claims about NGO engagement or systemic change over time.

Compiling data on many IGOs, or mining datasets for information on rules about NGO engagement, throws light across the whole system of global governance. In 2007 Grigorescu compared 70 IGOs on several measures of transparency, which offered a snapshot of public information practices in 2004 (Grigorescu 2007). Vabulas drew on the Correlates of War Project and offered a picture of the consultative arrangements of about 300 IGOs in 2011 (Vabulas 2013). While snapshot quantitative studies can provide initial checks on claims made about the reasons for variation in how IGOs interact with NGOs (such as the democratic nature of member-states, or the issue area of IGO governance), we need time series data to evaluate whether there has been a systemic expansion of roles for NGOs in global governance, or if the observed expansion has been unique to the few organizations that have received the most attention.

In 2013 Tallberg, Sommerer, Squatrito, and Jönsson published their study of how IGOs “open up” to NGOs, based on a new dataset (Tallberg et al. 2013). Their data covers the years between 1950 and 2010 and includes 50 organizations, which were drawn as a random sample of 182 autonomous IGOs. These 50 are then broken down into 298 subsidiary bodies (Sommerer and Tallberg 2017). With this new data they show that international organizations have “undergone a profound institutional transformation over past decades, dramatically expanding the opportunities for [transnational actors] to participate in global policy-making” (Tallberg et al. 2014, 768).

They observe an expansion of formal rules allowing the participation of NGOs in the institutions of global governance. But their study does not capture changes in practice, the evolution of informal rules, the interpretation or application of rules, or engagement of NGOs in governance beyond the formal rules (Shapovalova 2016).

Of course, even in careful single case studies, it is difficult to clearly identify the power of NGOs because “most of their influence is invisible except to immediate participants” (Willets 1996, 54) and therefore easy to overlook (Durham 2012). Still, case studies expose a more comprehensive view of how NGOs are engaged in global governance, including an investigation of informal rules, variation in the application of formal rules, and some of the subtle powers by which NGOs influence politics. Further, though a random sampling of IGOs counters selection bias, some intergovernmental organizations are more substantively influential than others, justifying their greater scrutiny and investigation. So, as is generally true, we need a combination of qualitative and quantitative data to understand both the shifts in formal rules and informal changes to see a full picture of the changes in ways that NGOs take part in global governance.

If we look at this literature as a whole, the broad large-N and deep case study investigations, we see that while formal access and formal participation opportunities have increased, the changes are not always unidirectional toward formal direct participation of non-state actors (Jönsson and Tallberg 2010; Liese 2010). In other words, NGOs are not becoming like states in the ways that they participate, and influence, global governance. IGOs generally continue to monopolize formal rules about decision-making. But other means of NGO participation in global governance have expanded (Otto 1996).

We can see this most clearly when we look at NGO participation in global conferences. The expansion in the number of conferences convened by the United Nations importantly

broadened opportunities for transnational social movements and accompanying NGOs (Joachim 2016; Pianta and Marchetti 2015). While civil society has always been active inside and outside global conferences (Charnovitz 1997), the expansion of the UN system and global conferences, along with Bretton Woods institution conferences, the World Economic Forum, and other multilateral summits, spurred new transnational movements from 1970 to the end of the 20th century (Pianta and Marchetti 2015). In these ways the creation of a UN system, including the increased name-recognition and associated legitimacy that came with labeling NGOs as appropriate consultative partners, and the establishment of conferences that attracted civil society actors, created a favorable political opportunity structure for fostering new NGOs (Van Der Heijden 2016) – even where domestic political opportunity is stifling (Reimann 2001). An expansion in the universe of NGOs only augmented NGO power, since the power of ordinary individuals depends on mobilizing the masses.

Taking stock of all the ways that NGOs and other voices of civil society participate in global governance, it appears that non-state actors are more important to the institutions of global governance than they have ever been. Their recognition, at a minimum, is now standard in most governance regimes, and their participation is expected in many. Formal institutional rules have shifted across the system; not equally or evenly, but broadly. Further, there are many ways that non-state actors participate in global governance that are not captured by observations of changing rules in formal IGOs.

## Explaining variation in institutional design

While observations of an expansion in international NGO activity accumulated, attention shifted to explaining emergent patterns. Why did some IGOs change their rules (or initially write their rules) to allow NGOs to access information, observe meetings, or participate in discussions, while others did not? Many suggestions had been proffered, including the increasing complexity of globalization or the declining ability of governments to solve new global problems (Benner, Reinicke, and Witte 2004), a growing power of advocacy movements fueled by communications technology (O'Brien 2000; Tussie and Riggirozzi 2001), and shifting global norms highlighting a moral imperative of civil society engagement (Thérien and Dumontier 2009). Generally, however, these kinds of broad explanations were not as helpful for explaining variation across institutions as they might be for explaining an overall upward NGO participation trend.

Existing scholarship on institutional design offered an example of how to explain variation. Although rationalist accounts of the functional design of multilateral institutions did not include non-state actor interaction as a variable, this body of work laid an important foundation for investigation. Thus, while early NGO-IGO literature had been predominantly descriptive (Charnovitz 1997; Weiss and Gordenker 1996; Willetts 2000), more recent work has aimed at explanation and hypothesis testing. Many authors began explaining variation in several aspects of non-state actor involvement in global governance, including IGO transparency (Grigorescu 2007), participation in multilateral negotiations (Bohmelt 2012), delegation to non-state actors (Green 2017), and most especially the rules governing NGO interaction with IGOs (Nasiritousi and Linnér 2015; Ripinsky and van den Bossche 2007; Ruhlman 2015; Sommerer and Tallberg 2017; Steffek 2010, 2012; Steffek, Kissling, and Nanz 2008; Tallberg et al. 2013; Vabulas 2013).

This work emerged when our understanding of the powers that non-state actors wield (Betsill and Corell 2008; Keck and Sikkink 1998; Risse-Kappen 1995) intersected with scholarship explaining the design of international institutions (Hawkins et al. 2006; Koremenos, Lipson, and Snidal 2003). When the accumulation of these converged, several comparative

studies explaining (rather than describing) the “where, why, and with what consequences” non-state actors participate in global governance followed (Tallberg and Jönsson 2010).

There are several lessons rising to the top as this research accrues. Foremost, a functional demand for resources is proving to be a strong predictor of formal NGO participation rules (Tallberg et al. 2014), and a comprehensive rationalist account for variation in NGO roles across IGOs has emerged (Steffek 2012). This helps explain the variation that we see across the policy cycle, where resource needs vary (Steffek 2010). We consistently find greater openness to NGO participation in implementation (Shapovalova 2016) and where there are monitoring and enforcement bodies (Vabulas 2013). Tallberg, Sommerer, Squatrito, and Jönsson (2014, 764) find that “demand for compliance monitoring is one of the strongest predictors of [transnational actor] access.” The primacy of the resource-exchange explanation for variation in participation rules echoes the dominance of rational-design scholarship in the broader study of global governance.

However, it is possible that there has been an over-confidence in the resource-exchange account, rooted in the difficulty of capturing the full impact of shifting norms. For example, the largest quantitative study conducted on this subject so far shows that NGO protest was significant for increasing openness before 1990, and after 1990 IGOs that had not experienced protests expanded their own NGO participation rules when similar IGOs had been the targets of protest. The authors point out that this raises the possibility that after 1990 non-targeted IGOs may have taken “preventative action” (Tallberg et al. 2014, 764) to ward off possible negative reputational impacts from NGO-led protests. In other words, the consequences of violating new inclusivity norms after 1990, such as being targeted by protest and suffering reputational damage, may have been influential in producing participation rule change in some organizations. Still, accumulating research tells us that resource-demand is a strong predictor of IGO-NGO engagement. But, notably, although information is often considered to be a primary resource held by NGOs, it does not appear that IGOs have much demand for technical information provided by NGOs. Instead, states and IGOs are often able to gather information on their own (Bohmelt 2012; Tallberg et al. 2014). Thus, the demand experienced by IGOs that drives increasing participation opportunities is driven by the need for other resources. As we continue to study the resource-exchange thesis we should expand our conception of the benefits and costs distributed to IGOs and NGOs from their interaction.

Lastly, our progress in considering the autonomy of IGO bureaucracies has helped advance understanding of what is going on here. The states and bureaucracies of IGOs may well have different interests in resource exchange with NGOs. Bureaucracies may see engagement of NGOs as an opportunity to diversify their resources away from reliance on member-states (Andonova 2017; Johnson 2014), and even as a way to press member-states for greater support of IGO goals. This has been documented in several case studies, such as UNICEF (Ruhlman 2015), FAO (Johnson 2016), and the European Union (Montoya 2009, 2013). The presence of a secretariat also makes delegation of multilateral environmental agreements to non-state actors much more likely (Green 2017, 11). Further, since 1950 an increasing percent of the decisions that have expanded formal participatory opportunities for NGOs have been ad hoc administrative decisions (though the majority are still decided by states in subsidiary bodies) (Tallberg et al. 2013, 88), and there has also been a growing focus on secretariat autonomy and agency (Barnett and Finnemore 2004; Johnson 2014).

So, while there is an accumulation of evidence about the importance of bureaucracies for expanding the multi-sectoral nature of global governance, there remains plenty of room for investigation of the relationship between bureaucracies, states, and NGOs in the design of institutions. IGOs have an interest in diversifying resources and reaching beyond nation-states and



their nominal monopoly on the power of shaping and distributing global public goods, but there are also costs to inviting additional actors to participate.

Nation-states similarly face both costs and benefits of NGO inclusion. Member-state regime type is likely an important variable here (Grigorescu 2007; Tallberg, Sommerer, and Squatrito 2015). But there is a great deal left to be explained about the relationship between national democracy and the role that civil society actors play in multilateral institutions. The work reviewed in this chapter has laid a fertile ground for future research on this point. There are several other doors of opportunity for scholars going forward, such as greater comparison of the factors shaping formal rules and informal engagement (Shapovalova 2016), the consequences of expanded NGO participation roles for outcomes of policy, and for perspectives of (or substantive measures of) democratic legitimacy, and future exploration of the relationship between civil society and bureaucracies.

If we focus only on formal rules of IGOs, and our understanding of IGO design primarily considers the interest of nation-states as principals, then we miss much of the dynamism of NGOs in global governance. Certainly, our recent progress in this field was built on the shoulders of the state-centric models of global governance, scholarship on institutional design, and principal-agent models. But our future progress should take advantage of the growing edge of global governance scholarship, which pushes beyond state-centric theory.

## Understanding NGOs in global governance

Studying the powers of non-state actors necessarily challenges state-centric theory, and the calls for disassembling the stifflingly strict distinction between state and non-state, or public and private, in favor of an actor-neutral study of authority, influence, and power are growing. Yet our main tools for understanding the structures and processes of global governance were designed in a state-centric era of international relations theory that emphasized the separateness of nation-states, IGOs, and nongovernmental organizations (Koch 2016). Accordingly, IGOs and NGOs are understood as wholly dissimilar actors. Studies of NGOs in global governance have mainly considered whether or not they influence the central players (nation-states and IGOs), the mechanisms by which influence might happen, and how NGOs shape the underlying norms upon which the state-centric roots of global governance operate.

Too often NGOs have been treated as novel upstarts that only recently begun challenging the power of states and banging on the doors of IGOs, where global governance decision-making is managed by member-states. This dominant description of NGO-IGO relations is misleading in two ways. First, NGOs (private voluntary associations) are not entirely new. Global civil society and global institutions of governance emerged in the same stew of socio-economic and political forces of the 18th century (Smith and Wiest 2012; Tarrow 2011).

While their title, public role, and position in global governance have changed in important ways, they have always been present and important to international politics. This matters because it shapes how we view NGOs themselves, and the impact that they can have on international relations. By thinking of them as newer than IGOs, we emphasize the centrality of IGOs to global governance and minimize the power potential of NGOs.

Second, civil society momentum has often preceded the emergence of new multilateral institutions. Early international conferences in the 19th century were sites of extensive nongovernmental activity, and sometimes direct participation. For example, experts were allowed to vote as a delegation separate from their governments at the International Sanitary Conference of 1851 (Charnovitz 1997). Further, the conferences that voluntary associations participated in often led to the creation of IGOs (White 1949). This was true of the International Meteorological



Organization in the 19th century (Charnovitz 1997), the International Criminal Court in the 20th century (Durham 2012), and the UN Commission on the Status of Women that led to the establishment of the UN Entity for Gender Equality and the Empowerment of Women (UN Women) in the 21st century (Friedman 2003), among others. Because the innovative experiments of the earliest multilateral institutions were sites of engagement for both nation-states and civil society, “the distinction between the IGO and NGO had not yet crystallized” (Charnovitz 1997, 199). Yet, the traditional approach considers NGOs as responsive to pre-existing global governance institutions. Instead, we might view the work of NGOs as contemporaneous, or even as antecedent, to the creation of global governance. Willetts (2011, 153) advocates for this reversal in primary agency by arguing that NGOs “constructed global governance” by changing communications systems and norms that permitted institutional change.

In short, global governance has always been a mixture of organizing voluntary associations and nation-states into communication and negotiation. In many ways, it is the emergence of modern social movements and their resultant voluntary civil society organizations that produced the multilateral intergovernmental organizations that form the architecture of global governance today (Smith and Wiest 2012). But a post-war state-based governance architecture, both the increasing use of formal treaties and the abundant creation of nation-state membership organizations, dominated global governance, and IR theory, throughout the Cold War. During the deconstruction of imperialism, states and civil society were each focused on the consolidation of state sovereignty in the rubric of self-determination and popular sovereignty. It is not until the later stages of the decolonization project that transnational advocacy fully shifted to embracing a human rights agenda, and challenging governments to do better (de Waal 2015).

We might imagine global governance as a construction project in which the modern architecture is built on a foundation of a post-war alliance. Several floors of formal, state-centric supranational structures of authority were built throughout the Cold War. Recently, though, the primary blueprints have changed, and the construction of familiar floor plans has slowed. The newest buildings are less reliant on a foundation of great power resources. Like modern hurricane-resilient or “climate change-proof buildings” (World Economic Forum 2015), these institutions are flexible, and ready to absorb varying waves of power from unexpected sources.

The chief changes to global governance institutions include at least three types of adaptations, each of which holds important consequences for the role that NGOs may play in new institutions, and in the broader system of global governance that the new institutional forms extend. First, new institutions are more likely to be informal, and thus without a secretariat (Vabulas and Snidal 2013). Informal institutions produce collectively shared expectations without relying on a formal agreement (Vabulas and Snidal 2013). These kinds of institutional arrangements are more flexible and reduce sovereignty costs, and are similar in their utility to states as soft law in comparison to hard law (Abbott and Snidal 2000; Vabulas and Snidal 2013). Informality, like voluntary standards, can make it easier for states to join international agreements, even if there is domestic political resistance (Wirth 2016). It might similarly be the case that NGOs find it easier to be influential in informal IGOs. But, instead, NGO influence may be more readily blocked where there are no formal rules granting access, and without secretariats serving as allies, opening doors for NGOs.

Secondly, private actors are sometimes at the center of regulatory authority, so that rules and standards guiding private actors are composed and monitored by multi-actor Private Transnational Regulatory Organizations (PTROs) (Abbott, Green, and Keohane 2016). PTROs, or Public Private Partnerships (PPPs) (Andonova 2017, 2005), became much more common in the 1990s and through the 2000s, especially in the field of environmental governance and sustainable development (Pattberg and Stripple 2008), where institutions are often

described as “orchestrating” diverse actors (Abbott 2017; Gordon and Johnson 2017; Lister, Poulsen, and Ponte 2015). Andonova has identified IGO “activism” as a reason for their rise (Andonova 2017, 3). As the “central entrepreneurs of institutional change,” the bureaucracies of IGOs have brought together coalitions of private businesses and civil society actors to tackle regulatory issues (Andonova 2017, 3). This is a substantively important entrance point for NGO participation in the politics and action of global governance, which is missed by the bulk of studies focused on the structures of formal IGOs.

Lastly, new IGOs are increasingly created by already existing ones (Johnson 2014; Shanks, Jacobson, and Kaplan 1996), and secretariats are almost always involved in the institutional design process (Johnson 2014). It took years for mainstream IR theory to recognize IO secretariats as influential actors in their own right, but the study of IO autonomy has expanded, and become essential to global governance theory (Barnett and Finnemore 2004, 1999; Bauer 2016; Johnson 2014). We are now observing an expansion of international institutions in which bureaucracies are taking part in the institutional design process; the creation of what Johnson (2014) calls IO “progeny,” and others call “emanations” (Shanks, Jacobson, and Kaplan 1996).

Identifying who is in control of the design process matters, because nation-states and bureaucracies have distinct interests vis-à-vis the resulting product of institutional design. On their own, nation-states desire mechanisms of member-state control while bureaucrats desire insulation from that control (Johnson 2013). The institutional design process involves a negotiation where neither full control nor complete isolation emerges, but with the expansion of bureaucracies involved in the design process, IGO insulation from state control mechanisms expands (Johnson 2013). In order to expand insulation from member-state control, IGOs can diversify their resources.

Engaging more closely with NGOs is one way to diversify resources, such as information, financial resources, implementation capacities, public support, and legitimacy. For example, NGOs have historically been granted greater formal participatory opportunities in UNICEF decision-making than in many other parts of the UN system. Initially the role of NGOs was linked directly with national fundraising campaigns, which granted NGOs greater negotiating leverage as they sought a formal voice in the decision-making process (Ruhlman 2015). As another example, the Food and Agriculture Organization has strategically partnered with NGOs in order to leverage a mobilized public opinion to push governments to support FAO goals (Johnson 2016). Bringing NGOs into the functioning of an IGO comes with costs as well, such as decreased secrecy and increased bargaining constraints (Vabulas 2013). But many of the benefits of their inclusion are felt most acutely in the implementation and accountability phase, which is largely within the purview of secretariats. These are also the phases of the policy cycle that show more openness to NGO engagement (Tallberg et al. 2014).

In sum, to accomplish complex multilateral goals, or to collectively build global public goods, nation-states are less often producing new formal IGOs (FIGOs) and instead establishing institutions that are informal and inclusive of a variety of stakeholders (Gartner 2010). Some have described a shift away from state-centric systems toward “regulatory pluralism” in a fragmented system (Grabosky 2013). As transnational governance has expanded, nation-states have been unwilling to extend sufficient authority and resources to the FIGOs that they had created and to which they had delegated so many tasks. Thus, the multilateral FIGO architecture built in the post-war era has been inconsistently capable of garnering global public goods and managing transnational regulatory policy. Because the domestic model of state-based regulation has not been effectively “transposed to the transnational level” (if it ever could be), there has been a shift in global regulatory practice toward a multi-stakeholder model (Abbott and Snidal 2012, 97).

Consequently global governance has become primarily about “orchestrating” a diverse set of actors, and creating mechanisms whereby one authority structure leverages the power of another to nudge states and non-state actors toward new behavior (Abbott and Snidal 2012). These changes have led to a variety of new ways of conceiving of global governance; what Ruggie (2014) collectively calls “new governance theory.”

The result is a resurgence of interdependence theory (Keohane and Nye 1977), or a “new interdependence approach” (Kahler 2016). This approach, and study of transnational governance, has deep roots in IR scholarship, but has generally operated at the margins of the field (Roger and Dauvergne 2016). Today, though, there are many examples of a general move toward an actor-centric, rather than state-centric, study of governance (Kahler 2016) following the expansion of non-hierarchical multi-actor “governance experiments” (Gordon and Johnson 2017) that have proliferated in the last three decades.

In sum, the United Nations, and other institutions of the post-war liberal order, have served as greenhouses for the growth of NGOs. Since the mid-20th century the number of NGOs, and their recognized right of participation in conferences and institutions of global governance, has expanded. While NGOs haven’t become like states in their formal roles in FIGO decision-making, they are extensively, and increasingly, engaged in the work of governance through consultative engagement with secretariats, participation in conferences, partnerships in implementation on the ground, and by holding central roles in new multi-sectoral institutions of global governance, which are rapidly becoming the dominant form of new governance arrangements (Abbott, Green, and Keohane 2016).

Still, the study of international organizations has been strongly influenced by approaches that privilege the importance of the interests and decision-making power of nation-states, such as functionalism, principal-agent theory, and rational design (Koch 2016). We used these tools to build a foundation for understanding the structures and mechanisms of global governance. This knowledge then produced a wave of scholarship explaining, from an institutional design perspective, the variation in rules of NGO inclusion and engagement in traditional IGOs. But progress now requires admittance of pluralist theory, where states are recognized as but one actor among many, and where power is employed by many means of influence (Willets 2011).

## Conclusion

The post-war multilateral system of the United Nations and the European Union framed our interest in global authorities and delegated powers. Our academic attention, accordingly, was drawn to explaining international cooperation and the emergence of formal structures of supra-national authority. But in fact, the golden years of formal multilateral negotiations may be passing. Perhaps we should not see formal intergovernmental organizations and multilateral treaty-making as the standard means of global governance, but instead as the product of a temporary American-led liberal order. The post-Cold War era has seen a shift toward soft law and complex, less authoritative, voluntary governance regimes. Accordingly, our academic attention is shifting to studies of an attenuated power of state and non-state actors to influence through intermediaries (Abbott and Snidal 2012; Abbott, Green, and Keohane 2016).

This is good news. Studying global governance by narrowly focusing on nation-states is parsimonious, but “hazardous if it misses relevant non-state actors, leads research astray, or muddles policy recommendations” (Johnson 2014, 208). Furthermore, global governance has always been more than formal intergovernmental organizations ruled by nation-states. Informal and complex rules have long been shaped by a multiplicity of actors (Charnovitz 1997; Davies 2014). Our awareness of this was tempered in the Cold War years, but as informal and complex

institutions return to the forefront of global governance, our scholarship increasingly sheds its state-centrism (Kahler 2016). This will only improve our ability to understand the roles that nongovernmental organizations play in global governance.

This chapter has reviewed what we know so far. While voluntary associations and NGOs by other names have always been influential in global politics, public recognition and formal rights of participation have expanded (Tallberg et al. 2014). Formal rules have opened up across the state-led governance structures, but they have not done so uniformly. NGOs have achieved more formal opportunities to participate where they have resources beneficial to states or bureaucracies. Meanwhile, NGOs have not waited for formal institutional access to decision-making bodies to take action or be influential. The existence of IGOs and the expansion of global conferences have produced beneficial political opportunity structures facilitating the proliferation of NGOs themselves, and their means of leverage and persuasion. As a result, NGOs are more abundant, and have more tools of power, than ever before.

Meanwhile, governance structures are adapting in at least three interesting ways, each of which has the potential to impact NGO roles and practices. First, existing IGO secretariats are influencing the design of new organizations, and encouraging new organizations to draw on a multiplicity of resources (Johnson 2014), which NGOs can often provide. Many case studies have noted the important facilitating role that secretariats have played for advancing the participation of NGOs in conferences, IGO decision-making, or operations. The interactive space between IGO bureaucracies and NGOs is an emerging and promising research subject.

Second, informality is increasingly common in both international law and organization (Abbott and Snidal 2000; Vabulas and Snidal 2013). With less hierarchic delegation of authority, informality might open greater avenues for participation of non-state actors. But we have not studied a comparison of NGO roles in informal IGOs and FIGOs, and it is also possible that these new kinds of flexible arrangements limit the advances in recognized rights of participation that NGOs have gained, which is often furthered by the precedent made through written recognition (such as the UN Charter and Agenda 21 examples given above).

Lastly, there has been a striking expansion in the use of private transnational regulatory arrangements, which integrate many kinds of actors (Abbott, Green, and Keohane 2016; Andonova 2017). The focus of global governance research has been traditional formal nation-state organizations engaged in broad decision-making, not the public-private partnerships aimed at specific industries or implementation tasks. It has been hard to apply IR theory and our regular tools for understanding governance to these kinds of partnerships. Their study, therefore, has remained on the margins on the global governance field. But as governance, broadly, becomes more pluralistic and less hierarchical, and as our means for understanding these new governance mechanisms grows, we should be better positioned to understand the whole breadth of actual global governance, including private transnational regulatory organizations.

We do not know what consequences these shifts will hold for the roles that NGOs play in global governance. There are clearly many doors open to future investigation. Just as advances in state-centric theory expanded our understanding of the design of IGOs, and the variation in rules governing NGOs in those institutions, the growing edge of global governance theory will help us understand the roles that NGOs play in the newest international institutions. To do so, we will need to continue diversifying our understanding of resources and power, and the actors that hold them.

## Note

- 1 Data from Ronald B. Mitchell. 2002–2017. *International Environmental Agreements Database Project (Version 2017.1)*. Available at: <http://iea.uoregon.edu>, accessed: 13 November 2017.

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# Transnational non-state politics

*Thomas Davies*

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## Introduction

Traditional approaches to the study of international relations are notorious for having adopted largely state-centric perspectives. As Lake (2008, 41) has noted, neorealist and neoliberal approaches are especially vulnerable to such a critique, but so too are certain variants of constructivism and even aspects of critical theory that are focused on deconstructing states and their practices. Analyses of NGOs in international relations have commonly responded to this context by highlighting the ways in which NGOs can influence the behaviour of states such as through the “boomerang pattern” (Keck and Sikkink 1998) and by influencing intergovernmental decision-making (Price 1998). Approaches such as these retain the state as the central unit of analysis in international relations, with NGOs influential to the extent to which states change their behaviour in response to them.

A more radical approach to understanding the role of NGOs in world politics is to abandon the state as the principal unit of analysis, and to reconsider international relations in terms of relations that bypass states altogether (Wapner 1995; Büthe 2010). In this chapter, I identify and discuss in turn: (i) the ways in which NGO advocacy can be influential by influencing the behaviour of other non-state actors and of private individuals; (ii) the independent service provision roles of NGOs; (iii) the non-state governance functions of NGOs; and in light of this (iv) the contributions of NGOs to transnational non-state order. The chapter proceeds to explore critiques of these aspects of transnational non-state politics before concluding by considering areas for further research.

## Advocacy bypassing the state

Although states are a frequent target for NGO advocacy campaigns, attention should also be drawn to the ways in which NGOs influence the behaviour of a much wider array of international actors. As this section will outline, NGOs wield influence not only over corporate actors in the economic arena, but also a broad range of wider social and cultural institutions. In so doing, this section explores some of the ways in which power is wielded internationally through processes and dynamics that bypass the state and its institutions.

The role of NGOs in seeking to influence the behaviour of transnational profit-making businesses has a history as extensive as that of NGOs seeking to influence intergovernmental policy-making. One of the world's oldest NGOs, now known as Anti-Slavery International, for instance, promoted boycotts of slave-produced goods in its efforts to address the slave trade in the nineteenth century (Heartfield 2016). In recent years, successful campaigns include Greenpeace's boycott campaign to end the use of ancient forest trees in Kimberly-Clark products, and the boycott of Fruit of the Loom that contributed towards its reversal of a factory closure in Honduras (Ethical Consumer 2016). An alternative strategy is the "buycott", by which NGOs actively encourage consumers to buy particular goods that meet their ethical expectations (Friedman 1999, 205).

As Newell (2001) has highlighted, the range of mechanisms by which NGOs may wield influence over corporate behaviour is considerable, including both confrontational and collaborative strategies. NGOs can exert leverage over corporations not only from below, through transformed consumer behaviour, but also from above, such as through shareholder activism. Critical to influencing consumer behaviour are the framing efforts of NGOs targeting the brand vulnerability of the corporation in question: Greenpeace has been a particularly effective exponent of this strategy, such as in the case of its "Nestlé Killer" campaign that targeted the Kit Kat logo and led to Nestlé invoking a sustainable palm oil sourcing policy (Aula and Heinonen 2016, 126).

Although examples such as these may seem to represent small-scale achievements, their cumulative effect can be considerable. It may even be argued that patterns of consumer demand may be influenced on so widespread and effective a scale that governmental and intergovernmental legislation on the matter may be redundant. Wapner (1995, 325), for instance, cites the example of the EEC's 1983 seal pelt import ban, which was introduced only after consumer demand had already plummeted in response to a campaign by environmentalist NGOs over the preceding decades.

One of the principal ways in which NGOs wield power over other non-state actors is through their cultural influence, and their capacity to reframe actors' understandings of their values, interests, and identities. As Singh (2010, 7) has argued, cultural power may be distinguished from traditional instrumental conceptualizations of power by drawing attention to the "meta power of representations" mediated by cultural industries and technology. NGOs work to reframe values, interests, and identities both through their own websites, publications, and other media, and by targeting wider cultural industries and technologies, as outlined for instance in Ryan's chapter in this volume (Chapter 9). The effectiveness of NGOs' cultural power is evident in transformations of public behaviour in response to NGO campaigns in the absence of state compulsion: examples include the growth of voluntary recycling in response to environmentalist activism (Wapner 1995), and cases of declining stigmatization of abortion following International Planned Parenthood Federation (IPPF) campaigns (IPPF 2017, 7).

Among the oldest non-state to non-state relationships is between NGOs and religious institutions. NGOs may play a role in transforming public opinion and behaviour through their work in conjunction with religious authorities. In contemporary Europe, a common example is cooperation between churches and NGOs to transform public perceptions of refugees (Bekalo 2014). NGOs may also work with artistic, cultural, heritage, and educational institutions to transform popular perceptions and behaviour. An example of this is the Amnesty-Oxfam "Museum without a Home" exhibition which has toured established museums with the aim of promoting solidarity with migrants (Amnesty International 2017). More contentiously, NGOs sometimes work on joint advocacy campaigns with corporations, with examples including the World Wide Fund for Nature's collaboration with the Hong Kong and Shanghai

Banking Corporation (HSBC) in climate change advocacy and education initiatives (Bulkeley et al. 2015, 182).

Although many of the cases of the NGO role in transforming public perceptions and behaviour explored here relate to near-term impacts, it is important also to consider the long-term repercussions of the cultural influence of NGOs. These may ultimately include significant effects on state policy and practice, even in the security sector. For example, Ceadel (1996, 22) has noted the slow “drip, drip, drip” of peace movement ideas into popular opinion and broader political culture; in the long term, this may include impacts on government practices, such as the transformation of ministries of “war” into ministries of “defence” as militarist ideologies lost their legitimacy.

## Transnational service provision

In addition to bringing about political change through advocacy bypassing the state, NGOs also challenge a state-centric understanding of world politics through the provision of services that might otherwise be undertaken by governments. As this section will discuss, this includes not only their well-known role in humanitarian aid and development assistance, but also their provision of wider health, welfare, and other public services. This section will further explore NGOs’ service provision roles through their undertaking of joint projects with corporations and other non-state actors, and their provision of services to their members.

As is well known, governments have provided international humanitarian assistance to other states since at least the 1755 Lisbon earthquake (Hutchinson 2000, 4). The role of religious charity in transnational humanitarian assistance, on the other hand, has a far longer history, and over the last three centuries a vast array of secular transnational humanitarian NGOs have also provided such assistance (Barnett 2011). With respect to broader development assistance, the aid budgets of some NGOs in the present day exceed those of some of the world’s wealthiest states: the greater scale of World Vision’s budget in comparison with Italian overseas development assistance (ODA) is a frequently drawn comparison (Koch 2009, xiii). Moreover, governments commonly channel a significant proportion of their ODA through NGOs, which are often perceived to be more effective managers of these resources than government agencies (Besley and Ghatak 2017, 368).

NGOs substitute for states in respect of a wide range of welfare and educational services for their populations. The IPPF (2017, 8), for example, directly provided 145.1 million sexual and reproductive health services worldwide in 2016, exceeding those provided by governments in many countries. As Brehm and Silova explore in their chapter (Chapter 20), education NGOs may also marginalize states in the provision of educational services. Tostan International is an example of an NGO that offers its own curriculum across several countries in contrast to a state-centric “national curriculum” model (Gillespie and Melching 2010).

NGOs also undertake transnational service provision roles in conjunction with other transnational actors including multinational profit-making corporations. A common phenomenon is the undertaking of joint projects with transnational corporations. This is particularly common in conservation projects, with examples including the launch in 2010 of a joint project between Fauna & Flora International and BHP Billiton for the conservation of orangutans in Indonesia (Foges 2010). WWF is a particularly common collaborator with corporate actors, undertaking high-profile joint projects such as the HSBC Water Programme aiming towards freshwater protection in the Yangtze, Ganges, Mekong, Pantanal, and Mara (HSBC 2017). As Dutta (2016, 162) argues, “NGOs such as the World Wildlife Fund (WWF) emerge as channels for green-washing the environmentally unsustainable actions of TNCs, often formulated in the form of

locally sustainable projects embodying NGO–TNC partnerships”. Critiques such as these will be explored further later in this chapter.

A further form of transnational service provision undertaken by NGOs consists of the provision of services to their own members. A large – but often neglected – category of NGOs consists of professional associations, some of which are explored in Rego’s chapter in this volume (Chapter 27). Many professional associations are specifically dedicated to providing services to their members such as facilitating networking, providing mutually recognized or interchangeability of professional qualifications, delineating guidance on professional ethics, arranging exchange programmes, and enabling information sharing. NGOs with a primarily advocacy-oriented focus may also make a part of their activities provision of services to members, such as information sharing, conference convening, and networking opportunities. A common purpose of the international secretariat of an NGO is to facilitate the brand protection of its member affiliates: one of the purposes of Oxfam International, for instance, is to set out the parameters for member organizations to be authorized to use the Oxfam logo (Atkinson et al. 2009, 52–53).

## Transnational governance

Among the many roles of transnational professional associations is the provision of global professional standards. As this section will outline, professional standards are just one of the many international standards developed, monitored, and enforced by NGOs. There are also “externally oriented” standards with respect to the behaviour of other actors such as transnational corporations and even states, and “internally oriented standards” regulating the behaviour of NGOs themselves. Together, these may constitute transnational governance, the exclusively non-state component of global governance.

NGOs’ development of global professional qualifications and standards constitutes one of the oldest features of transnational governance. The Association of International Accountants (AIA), for instance, has aimed to provide an internationally recognized accountancy qualification since the 1920s (AIA 2018). International accountancy standards, on the other hand, are established by another NGO, the International Accounting Standards Board, appointed by the non-profit International Financial Reporting Standards (IFRS) Foundation: these standards are adopted in 166 countries (IFRS Foundation 2018).

The setting, monitoring, and enforcement of “externally oriented” standards encompasses a wide range of sectors. In the environmental sector, the Forest Stewardship Council (FSC) is one of the longest-established non-governmental certification organizations, which sets, monitors, and enforces the standards that permit profit-making companies to designate their wood-derived products as being FSC-certified for sustainable sourcing (Rawcliffe 1998, 89). Similar initiatives in respect of labour standards include the Fairtrade Labelling Organizations International and its partner organization FLOCert, which respectively develop and certify the Fairtrade label standard (Bennett 2013, 60). In some instances, NGOs develop standards that governments are required to conform to if they are to obtain privileges offered by the NGOs: global sports federations such as FIFA and the International Olympic Committee, for instance, set standards which governments are expected to uphold if they are to be permitted to host events such as the World Cup and the Olympic Games, respectively (Emery 2015).

In addition to the setting of standards for others to adopt, NGOs are increasingly turning to the creation of self-regulatory initiatives that set, monitor, and enforce standards for their own behaviour. As the chapters in this volume by Crack (Chapter 42) and Deloffre and Schmitz (Chapter 41) elaborate, these initiatives are a response to growing challenges to their legitimacy, and to questions raised – especially by donors – with respect to their accountability. Accountable

Now is one of the best-known examples, set up in 2008 as the International NGO Charter of Accountability to provide common accountability standards for high-profile NGOs including Amnesty International, Oxfam International, and Greenpeace International (Crack 2018, 419).

A number of regulatory NGOs provide standards adopted by both profit-making and non-profit-making non-state actors: the Global Reporting Initiative (GRI) set up in 1997 has been particularly influential, accumulating over 23,000 reports to its sustainability standards, which 74% of the world's largest 250 corporations adopt (GRI 2018). Initiatives such as this are indicative of the increasingly blurred boundary between the profit-making and non-profit-making sectors of non-state activity.

The role of NGOs in the development, monitoring, and enforcement of global standards among non-state actors may be seen as a central feature of the emergence of transnational governance, which consists of the broader processes of transnational rule formation, adoption, and enforcement among both profit-making and non-profit-making non-state actors. This, alongside intergovernmental rule formation, adoption, and enforcement among states, constitutes one of the core components of wider global governance (Roger and Dauvergne 2016). Transnational governance not only operates in parallel with intergovernmental governance: as Ruhlman's chapter in this volume elaborates (Chapter 3), NGOs also work together with intergovernmental organizations in processes of global governance.

Traditionally, NGOs are perceived to have a role in democratizing the intergovernmental components of global governance through their liaison with intergovernmental organizations and lobbying of intergovernmental congresses (Scholte 2004; Davies 2012b). However, more work is needed on the ways in which the exclusively transnational component of global governance may be made more democratic, since NGOs themselves often have highly centralized decision-making structures and their decisions may reflect the preferences of donors rather than the groups on behalf of which they may claim to speak (Banks, Hulme, and Edwards 2015).

## Transnational order

With the development of transnational governance in parallel with the intergovernmental components of global governance, it may be argued that NGOs and other transnational actors may be developing institutions of transnational society that parallel those of states in international society (Buzan 2018; Davies 2017). In a similar manner to the development of mutual recognition criteria, diplomatic processes, and laws among states in international society, NGOs in transnational society may be understood to have developed mutual recognition criteria, diplomatic procedures, and transnational laws of their own. Moreover, just as the institutions of international society may facilitate international order, the institutions among transnational actors may facilitate transnational order.

Among states, mutual recognition of each other's sovereign status is understood to be one of the primary institutions of international society (Buzan 2004, 174). Among NGOs, there is no equivalent to sovereign status, since states monopolize legitimate use of violence. However, just as states have asserted "standards of civilization" in demarcating the members of international society (Gong 1984), NGOs-of-NGOs have asserted membership criteria for participating NGOs that may be considered to operate as "standards of civility" for transnational civil society: the pan-NGO CIVICUS that aims to represent transnational civil society, for instance, requires participating NGOs to adopt a set of common principles set out in its "Vision, Mission and Values" to be permitted membership (CIVICUS 2014, 3). The NGO accountability initiatives discussed in the previous section such as Accountable Now serve a similar function of mutually conferred legitimacy for participating NGOs (Thrandardottir 2017, 21).

Just as states have developed diplomatic institutions to facilitate their intercourse, so too NGOs have developed institutions of transnational diplomacy to facilitate their mutual relations. In a similar manner to the sending by states of delegates to intergovernmental organizations, NGOs may send official representatives to participate in the decision-making processes of shared organizations such as the Stakeholder Council of the GRI. Another increasingly common feature of NGO–NGO diplomacy is the creation of “external relations” departments and managers by NGOs to facilitate liaison with other NGOs (Islamic Relief Worldwide 2017, 15), which may be considered analogous to the creation of foreign ministries by states to facilitate liaison with other countries.

Moreover, in their development of dispute settlement procedures and common standards, NGOs may be understood to have developed a form of transnational law in parallel to (state-centric) international law (Halliday and Shaffer 2015). Just as states have shared dispute resolution procedures such as those of the International Court of Justice, it is estimated that there may be more than a hundred dispute resolution mechanisms developed by transnational non-state actors to resolve conflicts among non-state actors (Mattli and Dietz 2014, 1). As discussed previously, NGOs have also developed numerous common standards such as those of GRI and Accountable Now: according to Deloffre (2016, 724), these serve not only regulative but also constitutive functions for NGOs in transnational society since they “constitute their social identities, interests, and practices”.

Taken together, institutions of international society such as law and diplomacy are thought to facilitate international order in that they sustain the advancement of the common goals of states and enable their mutual survival (Bull 2012, 16). It may be argued that the institutions of transnational society elaborated here – i.e. their mutual recognition criteria, diplomatic procedures, and shared standards – serve similar purposes for NGOs: their mutually conferred legitimacy through shared accountability standards, for example, may help NGOs defend themselves from challenges to their authority and in turn help to ensure the perpetuation of independent transnational civil society. The many institutions of transnational society and their potential repercussions for transnational order are a fruitful area for further investigation.

## Critiques

Given the breadth and reach of transnational non-state politics elaborated in this chapter, it is important to cast a critical eye over its effectiveness, legitimacy, independence, and repercussions. This section will consider the potential problems with transnational non-state politics in each of these respects, before considering some of the ways in which NGOs have endeavoured to address these problems.

The first critique relates to the scale, impact, and effectiveness of transnational advocacy that bypasses the state. It may be argued that traditional transnational advocacy focused upon securing intergovernmental agreement upon international conventions to be enforced by states is a far more effective route than the targeting of a particular corporation through consumer pressure to change its practices: whereas the latter may change the behaviour of one corporation, the former has the potential to result in laws adopted in many countries that may be enforced through national legal systems with respect to a large number of corporations. On the other hand, it may be argued that transnational non-state advocacy targeting individual corporations may ensure that issues on which governments cannot agree to take action still get addressed, and that even if only one corporation is targeted in a particular campaign, other corporations may adjust their practices in order to avoid also being targeted. However, as Newell (2001, 200) argues, “many TNCs are relatively insulated from NGO campaigns”, and successful campaigns need to overcome significant hurdles to ensure broad-based cooperation.



Similar critiques have been brought forward with respect to the effectiveness of NGO service provision. **The role of NGOs in humanitarian aid distribution has been the subject of especially strong criticism.** Cooley and Ron (2002, 17) note that competition among NGOs in this sector may generate “project-duplication, waste, incompatible goals, and collective inefficiencies”. Others have gone even further in critiquing the counterproductive effects of NGOs’ humanitarian assistance, claiming it may have contributed to the prolongation of famine by encouraging dependency on aid packages (Maren 1997). Since critiques such as these proliferated in the 1990s, humanitarian NGOs have made considerable efforts to address problems of their coordination and aid effectiveness (Ronalds 2010, 83).

Given their expanding role in rule-making beyond the state through the formulation and enforcement of transnational standards, growing questions are being raised about how democratic such practices are. **The executives of NGOs are often far less accountable to those whom they claim to represent than the executives of democratic states are to their electorates.** Similarly, the basis of the claims to legitimacy of democratic states’ representatives may be far clearer than the basis of the claims to legitimacy of representatives of NGOs. Although initiatives such as Accountable Now are designed to address such critiques, NGOs still face challenges to their legitimacy both from the bottom up in relation to those they claim to assist and from the top down on account of donor pressure (Walton, Davies, Thrandardottir, and Keating 2016).

On account of the dependence of many NGOs on funding from wealthy donors often based in the global North, NGOs have been vulnerable to the critique that they reproduce structural inequalities between the global North and the global South (Amutabi 2006). While this has been considered most often in relation to NGOs’ development assistance role, a similar problem is present in respect of transnational advocacy targeting corporations: in order to wield leverage over corporations, NGOs need to exert pressure through wealthy consumers and investors, often also based in the North (Newell 2001, 200).

**Rather than serving as a bulwark against neoliberalism, the expansion of NGOs may be considered to be one of neoliberalism’s most significant features.** On account of cooperating with corporations in joint projects and in joint advocacy campaigns, NGOs have been alleged effectively to have been co-opted by corporations (Huisman 2014). Moreover, in their provision of services in place of the state, NGOs have been considered to have effectuated a “process of privatization by NGO” which “seems to have helped further accelerate state withdrawal from social provision” (Harvey 2006, 51–52).

The role of NGOs in “hollowing out the state” is one of the principal ways in which the ascent of NGOs in world politics – rather than providing “an answer to war” (Kaldor 2003) – may be contributing towards global fragmentation through undermining states’ capacity to provide security (Gros 2012, 154). More generally, as Lundestad (2004) and Davies (2014) argue, globalization and the growth of NGOs operate in a dialectical relationship with fragmentary dynamics.

As we have seen, transnational non-state politics cannot be considered to be a sufficient substitute for state action. **In many ways, NGOs are indirectly dependent upon states to provide them with a facilitative legal context and a stable environment in which to function** (Kaldor 2012, 129–130). In some cases, NGOs’ dependency on states may extend further to include direct mechanisms ranging from reliance on state funding through to operating as front organizations. **With many of the most influential NGOs being based in dominant states, it has also been argued that rather than representing independent transnational civil society, NGOs may instead serve to facilitate the projection of hegemonic states’ power and interests** (Woods 2003, 112).

In recent years, NGOs have made significant efforts to address critiques with respect to their reproduction of global structural inequalities. Some have changed their organizational procedures to give a greater say to populations in the global South (Foreman 1999), and some have also moved their headquarters from North to South (Walton, Davies, Thrandardottir, and Keating 2016, 2769). Over time, as Davies (2012a) notes, a growing number of South-originated and South-based NGOs have been increasing their scope of operations and claiming to promote less hierarchical practices than traditional Northern-dominated NGOs.

## Conclusion

Transnational non-state politics involves a wide range of activities. As this chapter has outlined, there is an exclusively non-governmental counterpart to traditional transnational advocacy focused on states: that which involves lobbying corporations and other non-state actors. NGOs also compete with states and other actors in the direct provision of services to populations. An important pillar of contemporary global governance is exclusively non-governmental: transnational governance involves the setting, monitoring, and enforcement of global standards without the direct involvement of states. This, in turn, may imply that NGOs and other transnational actors provide transnational order in parallel with the international order provided by the society of states.

This chapter has also outlined the many potential problems with transnational non-state politics. These range from problems of effectiveness, accountability, and legitimacy, through to its relationship with neoliberalism and structural inequalities in the international system. As we have seen, NGOs have responded to these problems by redesigning their structures and practices to give a greater voice to the global South, and by developing enhanced procedures of self-regulation. The prospects and limitations of these responses are a rich and ongoing field for further research.

Although the literature on transnational non-state politics has expanded significantly since the 1990s, it remains under-developed in comparison with the vast literature on the roles of NGOs in intergovernmental politics. There remain many areas that deserve greater attention, including the repercussions of transnational governance for world order, the nature and potential of exclusively non-state democracy, and the ways in which further political concepts traditionally conceived in relation to states should be applied in respect of NGOs, such as power, institutions, legitimacy, and authority. As some of the other chapters in this volume indicate, the emerging literature on these topics is rich, but still far less advanced than analogous state-centric research.

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## Part II

# Theory and analysis

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# Constituting NGOs

*William E. DeMars and Dennis Dijkzeul*

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## Introduction

What constitutes non-governmental organizations? What makes an NGO an NGO, rather than a transnational corporation, a state, a warlord or insurgency? How are NGOs so readily recognizable to each other, by other actors and for researchers? International Relations (IR) research over the past decade suggests that the conventional answer – that NGOs articulate common norms through a common discourse – is insufficient. If the focus on NGO discourse is misleading, then how much NGO practice do we need to notice? And what are the most crucial NGO practices?

These questions are *constructivist* in their most obvious theoretical pedigree, because IR constructivists are centrally concerned with the genealogy and shaping of actors in world politics, and therefore are more likely to use the word “constitute.” However, the same question is also theoretically *realist*, because to constitute a social actor, or a whole category of social actors – to bring them into being as enduring social facts – is the most profound exercise of power.<sup>1</sup> And finally, the same question of what constitutes NGOs is also theoretically *liberal*, because the constitution of actors is reiterated and institutionalized over time, and such institutionalization enables new forms of cooperation and conflict.

It is a particularly interesting historical moment to raise the question of what constitutes NGOs, because a spate of recent research is re-examining a well-established conventional wisdom in IR scholarship on NGOs. This chapter does not aim at anything close to a comprehensive survey of this new literature, but seeks instead to identify and review several of the most distinctive and clearly alternative emerging approaches.

Why do we pose the question of what *constitutes* NGOs, rather than the question of what *causes* NGOs to behave in a particular way, or to succeed or fail in achieving their goals? Constitution and causation are both forms of explanation. However, probing what it means to constitute an actor, or to constitute an entire category of actors, means seeking an explanation at a deeper level than mere immediate, instrumental causation of behaviour or success. To *constitute* encompasses mutual relations with other actors that bring actors into being, that hold them in being over time and history, and that maintain or change their organizational shape.



Constitution as explanation is less concerned with explaining micro tactics than with explaining how things work and why they work that way rather than some other way.

Such constitutive explanation usually leads into the realm of social structure and agency. We have found that constitutive explanations of NGOs tend to fall along a spectrum, ranging from those that emphasize the agency of NGOs, to those that emphasize the social structure of NGOs. The books that we review in this chapter also illustrate this spectrum. However, there are very few approaches to agency and structure in between the two extremes; and ironically, those at both extremes tend to share the same, flawed assumption: that actor agency must be pitted against social structure. Either agency is narrated as a rebellion against social structure, or social structure is portrayed as successfully dictating, repressing and limiting the agency of actors within it. Our hunch, instead, is that agency and social structure are themselves mutually constitutive; that social structure generates agents with agency, and agents reproduce or change social structure. In other words, there is no agency without structure to generate it, and no social structure that is not reproduced by agents.

In this chapter, we review seven theories that all focus on the constitution of NGOs, but vary in the factors they propose to explain such constitution: (1) norms and representation, (2) national origin, (3) state interests, (4) stakeholder accountability, (5) position in the NGO hierarchy, (6) macro-historical waves and (7) hegemonic power structures. Finally, we propose elements of a synthesis of these different explanations, based on *practice* and *partners*. In the conclusion, we summarize our argument and indicate several areas for further research.

## Norms and representation constitute NGOs

For several decades, most IR accounts have argued or assumed that NGOs are constituted by the norms they enforce or implement from above, and by the representative claims they articulate from voiceless groups below. Indeed, many IR scholars are attracted to NGO research with the motivation to research and celebrate NGOs wielding the power of progressive norms and ideas to transform world politics. Hence, these scholars often turn for theoretical guidance to various forms of idealist constructivism. Such NGO studies generally fall into two forms. In *pluralist* constructivist accounts, NGOs empower or speak for an autonomous society against a repressive state, inscribing a bottom-up power arc from the grassroots. Power originates below states, with the people, whom NGOs claim to speak for or empower. In *globalist* constructivist accounts, NGOs implement or enforce global norms on states and multinational corporations in a top-down power trajectory. Here, power originates in a realm of normative authority above states, a realm ruled by multilateral agreements, intergovernmental organizations and international legal decisions and norms (DeMars and Dijkzeul 2015a; DeMars 2005).

The best, and most read, articulation of this standard IR approach to NGOs is Margaret Keck and Kathryn Sikkink's classic, *Activists beyond Borders* (1998). Indeed, two decades after its publication, the book remains the best-selling theoretical volume on NGOs, and populates IR comprehensive exam reading lists at many top graduate programmes. It is, quite simply, IR's canonical text on international NGOs. Keck and Sikkink's well-known "boomerang" pattern of transnational advocacy networks (TANs), with their famous diagram of NGOs and states linked through arrows, incorporates both globalist and pluralist storylines in a single explanatory arch (13). In their boomerang model of transnational advocacy networks, "domestic NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside," by throwing boomerangs of information, symbolism, leverage and accountability (12). The boomerang flight originates with domestic NGOs bypassing their state and seeking international allies, thus incorporating the representative claim of pluralist

theory. As the boomerang circles and picks up international allies, including states and inter-governmental organizations, it brings normative and material pressure from “above” on the original state. In this way, the model incorporates the normative enforcement of globalist theory. In sum, Keck and Sikkink’s model ties together the bottom-up NGO power path of pluralist theory with the top-down NGO power path of globalist theory using the image of the boomerang’s circular trajectory.

Keck and Sikkink also provide a sophisticated theoretical discussion of NGOs and TANs in terms of constructivist theory, agency and structure, and norms and practices (1998, 1–6, 29–37, 209–217). The primary thrust of their argument is to establish the agency of NGOs and TANs against the previously excessive emphasis on the established social structures of state sovereignty (for realist theory) or liberal institutions (for liberal theory). The book has succeeded in this goal, but perhaps too well. In their theoretical discussion, agency is attributed sometimes to principled activists, sometimes to the NGOs they run and sometimes to the TANs that the NGOs generate. However, there is no ambiguity in their boomerang model description and diagram; in the model agency resides clearly with the NGOs that throw and relay the boomerangs. This is the model of NGO agency that their book has passed on to a generation of IR students and scholars.

One of Keck and Sikkink’s major contributions two decades ago was to emphasize the role of NGOs in creating networks with other kinds of actors. However, their crucial misstep was to identify networks with active NGO-led campaigns. They defined transnational advocacy networks as including “those relevant actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services” (1998, 2). Similarly, they defined campaigns as composed of “members of a diffuse principled network . . . [that] develop explicit, visible ties and mutually recognized roles in pursuit of a common goal . . . [and that] also consciously seek to develop a ‘common frame of meaning.’” (7).

This is the signature move of both pluralist and globalist views: to homogenize the actors in the network by assuming that they must share common norms/values/principles, which they signal visibly and publicly to each other by using a common discourse and pursuing a common goal. We agree that NGOs do these things. However, we object to the theoretical leap that the norms articulated by NGOs fundamentally *constitute* them. This leap effectively conceals any politics that falls outside the two vertical political axes of pluralist bottom-up representation of society against the state, or globalist top-down enforcement of global norms on the state.

We have identified several paths by which IR theory hides the politics of international NGOs (DeMars and Dijkzeul 2015b, 289–294). The most important is to theoretically homogenize the actors in world politics to be more amenable to theoretical manipulation. And the most pervasive form of actor homogenization is found in pluralist and globalist accounts of NGOs, including Keck and Sikkink’s, which confine themselves within the conventional normative mandates and issue-areas recognized by donors, recipients and host governments. Pluralist and globalist researchers theoretically homogenize the actors in the network by assuming that they must all share common norms.<sup>2</sup> Consequently, researchers stop looking for partners in the network when they run out of actors that mutually recognize each other as publicly advocating the network’s common norms. Their accounts fail to discover hidden or covert partners, partners that are normatively deviant or the latent agendas of visible partners.<sup>3</sup>

To attempt to explain NGOs as constituted by the global, transnational norms or principles they articulate is to portray NGO organizations and activists as wholly cosmopolitan creatures, citizens of the world, but rooted in and shaped by no particular country or place. It is a reductionist argument that attempts to explain NGOs from a single causal source.

## National origin constitutes NGOs

Sarah Stroup's 2012 book, *Borders among Activists*, is the most clear and direct challenge to the cosmopolitanism of Keck and Sikkink's portrayal of NGOs. Stroup audaciously argues that both the doctors who claim to operate without borders, as well as the activists who think they venture beyond borders, are actually more national than cosmopolitan in very specific organizational features: in their professionalization, fundraising, advocacy, research, relations with government and human rights issue selection.

In the strong version of her thesis she asserts, "There is no global civil society, but rather a set of national civil societies coming into more frequent contact with one another" (Stroup 2012, 13, emphasis added). However, she follows this with a more nuanced statement:

But if other factors – including individual leadership, domestic competition, and international pressures – all might inform the practices of any one particular INGO, national origin limits the range of possible responses to any of these factors. INGOs are governed by national laws; they receive the majority of their funding from nationally based donors; they have developed advocacy strategies in response to domestic political opportunities; and they are shaped by powerful sets of norms at home.

(2012, 14)

This is not a single-cause, reductionist argument. Stroup argues that both international environment and national origin shape or constitute each NGO, but that the national factors shape it more decisively. In addition, in Stroup's account national origin shapes NGOs through what we would distinguish as both *political* actors and influences (government donors, national laws, political opportunities), as well as *societal* actors and influences (private donors, norms).

Empirically, Stroup constructs an elaborate, structured comparison of 27 humanitarian relief NGOs and human rights NGOs based in the United States, Britain and France, and then follows many of their operations in Iraq after the US invasion of 2003. Overall, she finds that their respective national environments "encourage American INGOs to be cooperative professionals, lead British INGOs to act like 'Establishment radicals,' and push French INGOs to be principled protestors" (Stroup 2012, 191).

Theoretically, she relies on sociological institutionalism, but brings to it a much more astute political sensibility than most users. Specifically, she observes and argues that the forces of organizational isomorphism impose themselves more strongly on international NGOs from their own national environment than they do from the transnational environment. This is a realist political observation of the influence of national power. However, it is also a constructivist observation of the power of national societies to enforce organizational isomorphism.

Stroup's book is an essential corrective to the globalist and pluralist accounts of NGOs that dominate IR scholarship, whose implicit claim is that NGO activists have transcended their national origins and national organizational bases to become actors constituted entirely by their cosmopolitan aspirations. In contrast, Stroup argues that national origin in all its dimensions constitutes NGOs more definitively than international context.

## State interests constitute NGOs

There is a superficial similarity between Stroup's emphasis on the national environment of an international NGO's home country and the tenets of principal-agent (PA) theory. PA theory is commonly applied to intergovernmental organizations (IGOs) as well as NGOs to explore the relationships between their main donor governments as principals and the international

organizations as agents carrying out the goals of the principals. The conceptual premise of PA theory is that greater mission effectiveness results from subjecting the organization to strict accountability under its state donors. According to PA theory, NGOs are constituted as agents by the authority and policy aims of their government donor principals. Here, the concepts of “agent” and “agency” connote subservience to, and compliance with, the mission and interests of principals. PA theory understands that agents try to go their own way, but this is considered “shirking,” a deviance to be monitored and corrected (Brown 2007).

There are several problems with using PA theory to understand NGOs. First, empirically, NGOs simply do not act like subservient agents of their state donors (McMahon 2017). Real NGOs respond to a skein of multiple political and societal partners in several countries, including their country of national origin.<sup>4</sup> Indeed, if state donors want compliant sub-contractors, they are best advised to employ private, for-profit companies, such as the “beltway bandits” that populate Washington, DC (Saldinger 2016). There are also theoretical problems, including the reality that international NGOs suffer from the “multiple principals problem” in a particularly severe form (Cooley and Ron 2002). This means that the major state donor for an NGO is not the sole principal to which an NGO may be accountable, and not even the most influential partner among all its many political and societal partners in several countries. Another theoretical issue is that PA theory is drawn from the New Economics of Organizations (NEO), which proposes a narrowly economic conception of organizational interests. This conception does not account well for the complex micro and macro politics of NGOs and their networks. Stroup shares with PA theory a focus on national causation; however, her national origins approach encompasses a much broader range of political, economic and social factors shaping an NGO.

Interestingly, another influential approach drawn from the related sociological fields of organizational and bureaucratic theory takes precisely the opposite tack from PA theory concerning the relationship of international organizations to state interests. Michael Barnett and Martha Finnemore (2004) conceptualize IGO effectiveness as rooted in organizational *autonomy* from state interests, rather than subservience to them. Autonomy allows the organization to independently pursue its principled mandate as understood by its own experts and officials. It is remarkable that the IR literature is split between two diametrically opposed views: one view holds that the mission effectiveness of international organizations is enhanced by strict accountability to state donors, and another holds that organizational effectiveness is threatened by such accountability and enhanced by greater independence. In one theory, NGOs are constituted externally, by their adherence to the goals of their principals. In the other theory, NGOs are negatively constituted by their principals in the act of throwing off state interests, or alternatively, they are self-constituted, applying their independent normative and professional standards to generate and enforce norms upon other actors in world politics.

This polarization and contradiction in the literature on organizations and bureaucracies offers a clue to deeper processes of agency and structure. This divide in the literature illustrates the difficult challenge of theorizing both structure and agency at the same time, and keeping them in dynamic balance. In this case, PA literature privileges one narrow aspect of social structure (the constraints of donor relations), while Barnett and Finnemore privilege a certain kind of agency (organizational autonomy to pursue its principled mission) (Pollack 2007).

A similar theoretical polarization also plays out in the literature on NGO accountability.

## Stakeholder accountability constitutes NGOs

Theories of accountability for NGOs go well beyond PA theory. However, as Cristina Balboa (2015) demonstrates, international NGOs effectively elude all attempts at tight accountability,

both in theory and in practice. For major theorists, full accountability would demand the strict application of several distinct criteria and institutional enforcement mechanisms, based upon hierarchical, supervisory, fiscal, legal, reputational, market and peer accountability. Even non-traditional theories of accountability (such as stakeholder, contingency, rights and mutuality theories) cannot be fully applied to international NGOs because NGO networks lack all three necessary requirements for them to work: (1) consistent norms of behaviour, (2) sufficiently powerful agents of accountability and (3) sufficient NGO organizational capacity to account in all directions and to all criteria. The first missing requirement, the absence of consistent norms of behaviour, turns out to be decisively significant. The finding of the accountability literature that consistent norms are missing, even when NGOs operate in the same issue area and network, falsifies both pluralist and globalist versions of idealist constructivism, as well as most applications of sociological institutionalism. Despite the appearance that common norms function as the glue unifying all the actors in a network, in reality actual norms are too heterogeneous to provide the basis for actor accountability. The second missing requirement for NGO accountability, the absence of sufficiently powerful agents of accountability, undermines the relevance of PA theory for NGOs across the board.

In principle, a particular NGO could learn to respond accountably to all of its partners by undertaking a thorough stakeholder analysis (the third missing requirement above). However, to attempt to hold NGOs fully accountable to all stakeholders, Balboa argues, could “conceivably create enough veto points in the policy process to halt the process all together” (2015, 172). Indeed, the fully accountable NGO would simply perish from “Multiple Accountabilities Disorder” or “MAD” (similar to the “multiple principals problem” discussed above). In addition, a thorough stakeholder analysis would reveal any hidden agendas or hidden partners, whose public acknowledgement could be fatal to the legitimacy and sustainability of the NGO network. We know from observing national crackdowns on international NGOs in Russia, Egypt and China in recent years that the banner of “NGO accountability” can be used by states to kill NGOs, rather than to improve them (*Washington Post* 2015).

Balboa draws the surprising conclusion that “any NGO that endures over time has successfully managed its accountability challenges to the extent of retaining those partners essential for its survival” (2015, 178). Hence, the only accountability that is possible is already guaranteed by the existential requirement that the NGO maintain sufficiently legitimate operational bridges to essential partners.

From the literatures consulted so far – sociological theories, PA theory and accountability theories – a picture is beginning to appear. It indicates that NGOs are constituted by their multiple political and societal partners in several countries, but they are not necessarily controlled or held accountable by any or all of them. At what point does the accumulated evidence begin to force us to consider the possibility that stubborn resistance to accountability is itself a structural feature of the NGO world?

## **Position in the NGO hierarchy constitutes NGOs**

Sarah Stroup joins with Wendy Wong for the provocative 2017 book, *The Authority Trap*. The central argument is that organizational placement on the NGO hierarchy constrains strategic choices for both those at the top and those at the bottom. However, the real empirical revelation of the book lies elsewhere, in positing the existence of the NGO inter-organizational hierarchy, and stunningly demonstrating its empirical reality. Defining authority as deference, and operationally defining deference as attention, Stroup and Wong measure authority across six indicators for three key audiences: the international public, states and other INGOs. Screening

hundreds of international NGOs, they identify only 14 that draw strong attention from any one audience, and only 10 that command deference from at least two audiences: Amnesty International, Oxfam, Human Right Watch, Save the Children, Salvation Army, World Wide Fund for Nature, the International Committee of the Red Cross, World Vision, Greenpeace and CARE International. Moreover, these “leading authorities” tend not to lose their positions at the top, so the hierarchy is relatively persistent.

The authors cleverly draw from several new online databases to assemble explosive data in chapter three on the degree of dominance by leading authority NGOs. As the reality of the steep and durable hierarchy among NGOs becomes more generally known, this exposure may well bite back against the legitimacy of all NGOs. The public understands that transnational civil society can be very unequal, but people count on NGOs to be the equalizers – to empower and speak for the weak, and to enforce norms on the strong. The promise that NGOs will play this equalizer role in transnational civil society is what Keck and Sikkink and other globalist and pluralist scholarship implicitly convey. Whether intended or unintended, *The Authority Trap* is a dangerous book. The implication that position in a persistent NGO power structure constitutes NGOs undermines faith in NGOs as the challengers to power structures.

## Macro-historical waves constitute NGOs

Thomas Davies’ 2014 book, *NGOs: A New History of Transnational Civil Society*, brings a historian’s sensibility and a trove of new data and storylines to inform IR students and scholars. Its cyclical history of three waves of rise, peak and decline of transnational civil society may also lead to more serious consideration of other macro-historical explanations of NGOs. But perhaps most controversially, the book challenges the utopian-progressive assumptions of the NGO world and the scholars allied with it by suggesting that contemporary transnational civil society has been in decline since 1990, and that some NGO leaders are contributing to the decline.

In contrast with most conventional approaches, this book reveals a much wider array of NGO issue-areas over the past 250 years, many of which have since faded. This is an antidote to “whig history” that overstates the degree of coherence, continuity and politically progressive development of transnational civil society from the anti-slavery society in 1775 to the latest rights group today.

In addition, the book strongly challenges the Anglo-Saxon bias of some IR studies, which assumes that NGOs originate primarily from the civil societies of the United Kingdom and the United States (for both errors, see DeMars 2005). Davies shows that a wider range of “cosmopolitan cities” including Paris, Berlin, Vienna and Milan provided “the infrastructure for early international non-governmental conferences and organizations” (Davies 2014, 43).

In Davies’ account, each of the three historical waves has proceeded through phases of the rise of transnational civil society, then a consolidation and peak, followed by a period of decline. The decline phases of the first two waves ended with World War I and World War II, respectively. The third wave, Davies argues, has been in decline since 1990, the same period that many IR scholars and NGO leaders view as a triumphant golden age of transnational activism. The simple juxtaposition of the two previous decline phases with the current one raises a host of questions of causality, inevitability and tragedy.

The first long wave from 1867 to 1914 peaked in the 1890s, Davies argues, with the 1889 World’s Fair in Paris (at which was organized a Marxist Congress of the Second International) and the transnational mobilization before and during the first Hague Conference in 1899. Davies notes the almost inexplicable “remoteness from reality” of the European internationalists who were planning the third Hague Conference and the third Congress of International Associations



as World War I was looming. In 1914, the Union of International Associations (UIA) claimed to embody “the most representative forces of the different countries in their own particular domain” (Davies 2014, 76). Davies suggests that the utopian illusions of NGOs may not have always been entirely harmless, as we and many others have implicitly assumed.

Davies finds several common patterns in all three decline phases: NGOs demonstrate increasing “remoteness from reality”; they form larger coalitions with other NGOs; those coalitions become the basis for making more “grandiose” claims of representing world public opinion; and their effectiveness declines or is called into question as they form more “short-lived” NGOs on “insubstantial” issues, become co-opted by other more powerful actors and participate in the “fragmentation” of world politics.

The second, short wave of transnational civil society lasted only from 1914 to 1939, having peaked and begun to decline with the World Disarmament Conference of 1932–34. Davies (2014, 122) argues that the World Disarmament Conference not only failed to bring about general world disarmament, but it weakened German political moderates against the Nazis by rejecting their proposal for modest German rearmament, and it also discouraged the liberal states of Europe from rearming in preparation for the coming expansionist threat. More tragic and counterproductive consequences for NGO leadership are difficult to imagine.

Even when NGOs do not contribute directly to the destruction of peace and transnational civil society, their distraction with insubstantial pet projects may render them irrelevant for countering real threats. Davies ends the book with this challenge to contemporary leaders of transnational civil society:

In each of the three waves of transnational civil society . . . the demise of transnational civil society was immediately preceded by the creation of large transnational coalitions of INGOs, claiming to speak for “the most representative forces of the different countries” (in the period before the First World War), the “public opinion of the world” (in the period preceding the Second World War) or “global civil society” (in the period preceding the 11 September 2001 attacks). Such claims revealed detachment from the developing divisions in transnational civil society and the world’s population more generally in each of these phases, which were ultimately to overwhelm transnational civil society on each occasion.

*(Davies 2014, 181)*

The broader implication is that international NGOs in any particular historical moment are part of something much larger, of which they are not aware, and which is not necessarily progressive. The fine-grained historical data of NGO waves raises broad questions of constitution: What constituted the new NGOs in each rise phase? What constituted the historical waves of transnational civil society themselves? To what extent are NGOs determined by the cyclical movement of the historical waves, or to what extent can they act creatively and responsibly? And today, what degree of agency do we possess – not only NGO activists, but we scholars and our students – to recover an NGO connection to global political reality?

## **Hegemonic power structures constitute NGOs**

At the opposite end of an agency-structure spectrum from simplistic pluralist accounts that emphasize NGO agency while almost erasing the reality of social structure, there are extreme structuralist accounts that almost erase the possibility of NGO agency. While many structuralist texts are theoretically opaque, Michael Barnett and Raymond Duvall (2005) make a relatively



clear and useful distinction between two forms of “social relations of constitution,” structural power and productive power (18–22). For Barnett and Duvall,

Scholars focusing on structural power conceive structure as an internal relation – that is, a direct constitutive relation such that structural position A exists only by virtue of its relation to structural position B . . . The classic examples here are master–slave and capital–labor relations. From this perspective, the kinds of social beings that are mutually constituted are directly or internally related; that is, the social relational capacities, subjectivities and interests of actors are directly shaped by the social positions they occupy.

(2005, 18)

For Barnett and Duvall, therefore, *structural power* is co-constitution of direct, internal, binary and mutual (though extremely unequal) social relations. In contrast, *productive power* works through “more generalized and diffuse social processes” (2005, 20):

Specifically, and at the risk of gross oversimplification, structural power is *structural* constitution, that is, the production and reproduction of internally related positions of super- and subordination, or domination, that actors occupy. Productive power, by contrast, is the constitution of all social subjects with various social powers through systems of knowledge and discursive practices of broad and general social scope.

(2005, 20)

Productive power, therefore, is no less implicated with domination or violence than is structural power. Indeed, productive power reaches much farther in its domination, because it “concerns discourse, the social process and systems of knowledge through which meaning is produced, fixed, lived, experienced, and transformed” (Barnett and Duvall 2005, 20). Such discourse constitutes the subjectivity of all social beings, all the way through, as well as “every inter- and intra-subjective power relation” (21; Hayward 2000, 6). If divergent identities or subjectivities may be more or less unequal, nevertheless, they are all imposed.

At this point, we can view nearly the full spectrum of IR theory on NGO agency and social structure, from pluralist and globalist overemphasis on agency, to Barnett and Duvall’s overemphasis on social structure.<sup>5</sup> We need a theoretical balance to discern the politics of NGOs.

## **Towards a synthesis – practices and partners constitute NGOs**

During the eight-year period of conceiving, recruiting co-authors, writing and editing our 2015 volume, *The NGO Challenge for International Relations Theory*, we moved steadily towards the judgement that only a theoretical synthesis housed within a broad practice theory approach could capture the analytical and political complexity of international NGOs. We seek a broad practice theory that can balance agency and structure, and also overcome the large and ingrained blind spots in the IR theory schools of realism, liberalism and constructivism (see DeMars and Dijkzeul 2015a, 2015b).

### ***What is practice theory?***

Practice approaches may hearken back to Aristotle (*phronesis* or practical wisdom) and Marx (*praxis*), but a distinctive “practice turn” in social theory, including IR, has emerged only since about the year 2000 (Schatzki, Knorr-Cetina and von Savigny 2001; Neumann 2002;

Nicolini 2013). Observers agree that “there is no unified practice approach” (Schatzki 2001, 2). Indeed, there is no single or even leading definition of practice. AnthroBase (2018) defines practice simply as “acts that carry their own rules / limitations / structures within themselves.” However, Davide Nicolini (2013, 9) allows that there is a “grand lake” of practice-oriented approaches, whose leading concepts may be labelled variously as “practice, praxis, interaction, activity, performativity and performance.”

Emanuel Adler and Vincent Pouliot stipulate that “practices are socially meaningful patterns of action which, in being performed more or less competently, simultaneously embody, act out, and possibly reify background knowledge and discourse in and on the material world” (Adler and Pouliot 2011, 6).

Approaches to practice theory that emphasize competent or routine performances signal some degree of grounding in the work of Pierre Bourdieu, who proposed the concept of *habitus* in an attempt to apprehend “the permanent internalisation of the social order in the human body” (Eriksen and Nielsen 2001, 159).

Power is an element of Bourdieu’s understanding of practice as embodied social order, but is not the most pronounced element. In contrast, conflict and oppressive power are much more prominent in practice theories that draw deeply from Michel Foucault, whose concept of *discipline*, while resembling habitus with respect to embodied social relations, points to structural violence and domination institutionalized in diffuse forms of “governmentality” and “disciplinary power” (Postill 2010, 8).

Mapping the current use of practice theory in IR, two tendencies are in dialogue with each other. One, led by Adler and Pouliot, draws more from Bourdieu. The other broad tendency relies more on poststructuralists such as Foucault, and is anchored, arguably, by Iver Neumann and Ole Jacob Sending’s 2010 book, *Governing the Global Polity: Practice, Mentality, Rationality*. Neumann and Sending, in turn, rely on Barnett and Duvall’s Foucauldian approach to power.

### **Why is practice theory needed?**

Practice theory is needed in IR for three broad sets of reasons. First, practice theory is needed because other theories do not merely fail to understand international NGOs, but actively hide the politics of NGOs in world politics. We have shown elsewhere that practice theory can provide a more coherent account of NGOs as institutions in world politics than offered by liberal theory; that practice theory can reveal the power dynamics of international NGOs better than realist theory, and that practice theory can fulfil the promise of constructivist theory to reveal the constitutive origins and reshaping of NGOs as actors in world politics.

The second set of reasons that practice theory is needed in IR is to give us greater ability to research and reason from the small and local to the large and transnational and back again. International NGOs are not the only class of critical global phenomena that demand such an approach. Such phenomena include transnational terrorism and organized crime; international migration; climate change and possible solutions; transnational and international economic flows of money, goods, information and people; the digital and cyber realms of communication, culture, conflict and warfare; the changing institutional and physical shapes of states, collapsed states, de facto states and warlords; and the loosening global grip of American military and intelligence power in the face of multiple challengers who are out-playing us in the new landscape. NGOs are the canary in the mine for the declining relevance of conventional IR theory. The three paradigms of realism, liberalism and constructivism – and their precursors and variations – that were serviceable during the Cold War and less so post-Cold War are no longer working. They are far from useless, but their application is intractable and abstract.

The third set of reasons why we need practice theory is that, well used and applied, it offers the most promising approach for allowing us to narrate both human agency and social structure in a relatively balanced way in the world of NGOs.

### *How can practice theory be applied?*

Because the concept of a particular social practice, or even an international practice, is so fine-grained, practice theory only becomes useful for understanding any particular range of phenomena by identifying and positing some more specific “anchoring practices” for those phenomena. Anchoring practices are understood as midlevel institutional practices that are embedded within the broader international practices of world politics.<sup>6</sup>

How do we identify with confidence the anchoring practices of NGOing? We have asked the practice question – *What do NGOs do?* – in a sustained way over many years and across many different organizations, issue-areas, countries, networks and campaigns, and it has led us to transnational partnering as the locus for anchoring practices for international NGOs. Partnering practices are the only practices that all NGOs perform all the time, wherever they are. To recognize this, however, an observer’s scrutiny must shift from what NGOs say they are doing (discourse) to what they actually do (practice).

To understand NGOs deeply, we need to be able to turn our scholarly gaze, temporarily, away from their emancipatory promises, away from the very real crying needs of people and nature, and towards what NGOs consistently do that is distinctive to them.

In this spirit, we propose, with strong confidence, that NGOs throughout the world share two anchoring practices (DeMars and Dijkzeul 2015a, 22–29). Rather than regard NGOs as discrete entities, we reconceptualize NGO phenomena in terms of processes and practices of “NGOing” (Hilhorst 2008). Accordingly, we propose that “NGOing” happens when two anchoring practices are successfully and intelligibly performed: (1) when private actors claim to pursue public purposes, and (2) when, by the authority so claimed, they partner with societal and political actors in several countries (DeMars and Dijkzeul 2015a, 34–64).

NGOs make normative claims, establish and maintain partner relations, and thereby grow networks. And they do so, inexorably and indefatigably, just by being NGOs. Hence, NGO normative claims do not disappear from our account. They are the transnational public purposes that provide the plausible authority and legitimacy for all kinds of other actors to partner transnationally with NGOs, and through NGOs with each other.

In a crucial corollary to these anchoring practices, we argue that actors are part of a network when they share any common partners. This differs radically from almost all other approaches to studying NGOs and networks, which delimit the scope of network research according to the normative issue-areas defined by NGOs themselves. Globalists and pluralists take their bearings in the network from the normative commitments articulated publicly and recognized mutually by other members. Even those few realists who examine NGOs as strategic actors define the scope of NGO competition for scarce resources within the publicly visible normative issue domain (Drezner 2007; Bob 2005). For us, the fact of a direct or indirect organizational link constitutes the network, rather than the shared normative discourse used to legitimize those links. This allows for hidden partners – hidden from the public or even from the NGO itself – and for partners that do not adhere to the NGO norms. In addition, we hold that each societal and political partner of each NGO pursues some latent agenda through linking with the NGO. It may be benign, or may conflict with the NGO’s salient agenda or with the latent agendas of other partners. In this way, each NGO embodies both cooperation with its partners on the salient agenda, and conflict over latent agendas. Humanitarian NGOs, for example, frequently

have to deal with corrupt elites or vicious warlords that try to instrumentalize them for their own economic or political interests, but are rarely open about these interests and the ways they want to achieve them (Dijkzeul 2015).

NGOs partner and bridge heterogeneously, forming variegated and often conflictive networks. Conflict and asymmetric power may come into play over the transnational movement of people, resources, norms, information or technologies. Even when a particular partner interface is not actively conflictive, it is still potentially so, especially in war-torn societies, or closed societies with authoritarian politics that lack open institutions for political contestation.

In sum, every NGO is itself a site for power-laced encounters, a nexus of several other cooperating and competing actors, with complex interests and agendas. Each NGO bridges and institutionalizes both cooperation and conflict among its own societal and political partners in several countries, as part of routine NGOing. NGO politics is not a pathology to be diagnosed and cured, or a corruption to be purged. Without latent agendas, there are no partners; without partners, there are no NGOs; and without NGOs, there are no recognizable global issues. Moreover, savvy and experienced NGO professionals already know that their organizations are shot through with conflicts between their partners' latent agendas, and consider finessing these tensions to be one measure of their professionalism. Social scientists are only slowly catching up.

## Conclusion: a degree of disenfranchisement

Today there may be a broader range of theoretical views of NGOs than ever before, and many more penetrating empirical studies, at least in our several decades of experience in IR NGO studies. This chapter has reviewed a few of the most distinctive and clearly alternative emerging approaches.

We still have the established theories of NGOs that reiterate the legitimating discourse of NGOs themselves: In pluralism and globalism, NGOs and their activists are portrayed as cosmopolitan citizens of the world, roaming freely beyond borders of all kinds to challenge unjust power structures by empowering the weak or enforcing global norms on the strong. Keck and Sikkink's fusing of pluralist and globalist power arcs in the boomerang model was a response to overly structural views of NGOs that emphasized the structural power of states or international institutions. To argue that NGOs are constituted by the representative claims they voice and the global norms they enforce is superficially structural. However, because NGOs elude all attempts at strict accountability to either principals, norms or communities, pluralist and globalist theories have in fact strongly emphasized the unfettered agency of NGOs as self-appointed global representatives and norm enforcers. Many of the most interesting recent works challenge the overstatement of NGO agency by illuminating how NGOs are in fact rooted in particular places and power structures.

For example, Stroup challenges the cosmopolitan portrayal of NGOs by arguing that political and societal factors in the national environments of major NGOs constitute and shape their organizational processes more decisively than the international context that all NGOs share. Similarly, structural factors are emphasized in other recent works that focus on NGO embeddedness in the international NGO hierarchy, macro-historical waves of NGO rise, peak and decline, and Foucauldian accounts of hegemonic power. All of these innovative approaches suggest that there is much more to international NGOs than meets the eye, at least when the eye is guided by superficial pluralist and globalist theories that reiterate the self-legitimizing discourse of NGOs themselves.

What is it about NGOs that makes their agency, structural roots, power and practice so difficult to discern? Part of the answer is that IR theory has quite effectively hidden the politics of NGOs, especially by theoretically homogenizing the actors in the NGO network, which persuades researchers to stop looking for partners when they run out of actors that mutually recognize each other as publicly advocating the network's common norms. Our proposal for IR theory is to bring in practice theory, follow the evidence of NGO political and societal partners in several countries, and only then reengage with the big questions of power, institutions and constituting actors raised by the big paradigms of realism, liberalism and constructivism. We are convinced that many other urgent empirical questions in contemporary world politics would be illuminated with an infusion of practice theory.

Looking closely at NGO practice, in particular at partnering with a broad set of actors that have open and latent agendas, offers a useful antidote to misleading assumptions. Yet, many more questions beg for more research. For example, in the decline stage of macro-historical waves of transnational civil society, international power politics itself becomes dysfunctional, and NGOs have rarely stemmed such a tide. How does the agency of NGOs become remote from reality? To what extent can they provide an alternative?

As suggested above, if we hope to understand deeply the politics of NGOs, we need to learn to turn our scholarly gaze away from their normative, emancipatory promises, and towards their practices. To be more precise, we need to allow ourselves to be disenthralled of the utopian visions and promises of NGOs. But to be disenthralled does not mean to be wholly disenchanted or unadmiring of NGOs' courageous exposing of global wrongs and often valiant, clever and quixotic efforts to right them. As NGO scholars and students, we should aspire to esteem NGOs enough to be willing to recognize and reveal their real politics.

A degree of disenthralment with NGO utopias is already underway. There are growing shelves of books that strongly critique the actual performance of NGOs in a range of particular issue-areas (for example, Fechter and Hindman 2011; Autesserre 2014; Hopgood 2013; Donini 2012; Locke 2013). Are some NGOs increasingly remote from the realities of world politics? Does the structural power of international NGOs reproduce social structures of emancipation or domination for the actors they claim to represent? Can scholars responsibly ignore the ways that IR theory and NGOs themselves collaborate to hide the politics of NGOs? Ironically, a measured disillusionment with the automatic attribution of progressive authority to NGOs may now be a necessary, though not sufficient, step towards a more critical and constructive engagement by international NGOs with the realities of world politics.

## Notes

- 1 It is true that many conventional realists neglect the role of NGOs in world politics. However, they do so by inattention to what powerful actors do. In fact, the civil societies of three major hegemonic states of the past three centuries – the Dutch Republic, the United Kingdom and the United States – proliferated NGOs through a transnational civil society. See Reinalda 2009; Aerts 2010.
- 2 Ironically, rationalist NGO theories whose premises are almost the opposite of pluralism and globalism make the same misstep of presuming the homogeneity of actors in the network. Whereas pluralists and globalists borrow from sociology a methodological collectivism that assumes all the actors share the same norms, rationalist theories borrow from economics a methodological individualism that assumes all the actors share the same autonomous rationality. (See DeMars and Dijkzeul 2015a, 8–9 and 2015b, 291–294.)
- 3 In their case studies, Keck and Sikkink (1998) examine a wider range of politics than the boomerang model would imply, including conflict within networks, counter-networks and failed campaigns. However, many scholars have picked up from them the politically simplified boomerang model.

- 4 We use the terminology of “partners,” following the official international development literature. But we are also well aware of the irony of implying the mutuality of “partnership” in relations that are also marked by asymmetric power, conflict and instrumentalization.
- 5 Note the contrast with Barnett and Finnemore’s work on the autonomy of international organizations as discussed above.
- 6 On embedded practices, see Giddens 1986. On anchoring practices, see Swidler 2001; Sending and Neumann 2011.

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# Rationalist explanations for NGOs

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## Introduction

When non-governmental organizations (NGOs) started to emerge as one of the actors in the world, few rationalists made a study of NGOs. Traditionally, it has been constructivists who have paid more attention to NGOs' power, focusing on their roles as norm entrepreneurs and transmitters in global society (Finnemore and Sikkink 1998). Because of NGOs' moral and altruistic characteristics, motivations, and origins, constructivists seem to have more appropriate tools than rationalists (Ahmed and Potter 2006). However, it is a misconception that rationalists are not willing, suitable, capable, or likely to study these organizations. Rationalists do have the ability to analyze NGOs as seemingly rational actors, and may even possess better tools for examining specific aspects of NGOs. Indeed, as NGOs have gained substantially more power and become more significant actors on the international arena, more rationalists have begun to scrutinize NGOs in terms of their nature, behaviors, and influence over other actors.

Rationalist NGO research takes many different approaches. Many researchers, for example, are interested in the nature and definition of NGOs. Most NGOs have an altruistic foundation – they are founded to help others rather than to pursue any self-interest – and therefore rationalists are curious about the effect of this characteristic on NGOs, and whether all NGOs are rational in pursuing their own interests (see Werker and Ahmed 2008).<sup>1</sup> Rationalist research also raises critical questions about NGO behavior: they are suspicious of the moral and altruistic nature of these organizations, a misgiving based both in formal rationality and empirical observation. Finally, some rationalist scholars study the influence NGOs have on other international actors and how these organizations use their seemingly moral mission to achieve their own goals.

This chapter provides an overview and analysis of the rationalist understanding of NGOs, focusing on the nature, behavior, and influence of NGOs. It reviews what the various rationalist approaches to NGOs are, how rationalists describe NGO nature and behavior, their influence, and what the limitations and merits of this kind of analysis are.<sup>2</sup> I begin by describing rationalists' tools for understanding NGOs. There is a common misconception that formal modeling based on pure material interests is a rationalist approach. However, rationalist research actually includes a much broader methodological approach to analyzing NGOs.

Second, I provide an overview of the existing rationalist research into the nature and behaviors of NGOs. Rationalists focus on the survival of NGOs, an approach that is closely related to material incentives. For rationalists, an organization's normative mandates, missions, and visions are not as crucial for understanding it as are the forces that enable it to survive, such as funding. Therefore, rationalists examine private and public funding and the relationships between NGOs and their donor states. In addition, many rationalists use empirical observation to examine the domestic and international work of NGOs in development, relief, human rights, the environment, and other fields in both developed and developing countries.

Next, I describe the rationalist interest in understanding how NGOs influence other major actors, thereby having an impact in their recipient countries. Traditional international relations (IR) theories tend to focus on states; until recently, IR has not treated NGOs as a major actor in the international arena. Rather, these theories tend to "reduce and obscure the politics of NGOs" (DeMars and Dijkzeul 2015: 14). However, contrary to these IR theories, rationalists have shown that NGOs have a significant influence over other major actors, including states, IGOs (Intergovernmental Organizations), multinational corporations (MNCs), etc.

Finally, I explain the limitations and merits of rationalist NGO understandings. In spite of the merits of these approaches methodologically, rationalists tend to forget NGOs' essential and crucial characteristics. In order to understand NGOs it is crucial to remember that they do not merely pursue material interests or act for the greatest benefit, as do MNCs. Nonetheless, the rationalist approach is a good reminder that researchers need to study NGOs objectively using concrete evidence rather than relying on simple rhetoric.

This chapter consists of six sections, the first being this introduction. In the second section, I explain rationalist approaches to NGOs and define rational choice theory. In the third section, I analyze NGO nature and behavior using a rationalist approach. In the fourth section, I explain the influence of NGOs using a rationalist perspective, while the fifth section describes the limitations and merits of this methodology. Finally, I conclude with a projection of how a rationalist approach can be used to study NGOs in the future.

## **The rationalist approach to NGOs**

Before studying the rationalist understanding of NGOs, one must understand the rationalist methodology. According to Snidal (2002: 74), so-called rational choice approaches are a "methodological approach that explains both individual and social outcomes in terms of individual goal-seeking under constraints." Such an understanding assumes that individuals or collective bodies are rational and act rationally to achieve their goals, whether material interests or normative goals. Rationalist approaches, in other words, address how actors behave (Snidal 2002; Fearon and Wendt 2002). While many people consider formal modeling part of this rationalist approach, and certainly modeling can offer important insights, rationalist study can be done without mathematical models or other models (Schelling 1960).

We can say, therefore, that rationalists assume that NGOs are individual or collective "rational" actors with both material interests and normative goals. These "material interests" can be funding necessary for organizational survival, and the "normative goals," in this case, refer to the missions of NGOs, which are aimed at improving the current world within the realm of development, human rights, the environment, etc. Different from expectation, including the normative goals of NGOs is natural for rationalist approach as we discuss below.

Rationalists point out that NGOs' dual priorities on survival (material interests) and mission (moral goals) seem at odds with one another. This provides some dilemmas for rationalists and makes their study of these organizations quite difficult. When rationalists study states or private firms, for

example, it is not difficult to rationalize their behavior: survival wins over morality almost all the time. Within NGOs, however, moral obligations are a fundamental characteristic of each organization. If an organization fails to live up to its moral mandate, it could lose support from the private and/or public sectors, making its mission as integral to its survival as material support. Rationalists, therefore, need to consider both material interests and moral goals when examining NGOs.

The rationalist approach has received criticism in various ways. Traditional IR theorists often criticize rationalist approaches in terms of originality and empirical validity (c.f. Walt 1999). They argue that rationalist approaches do not necessarily develop existing theories or add any new understandings to IR. Rather, rationalists merely explain old arguments in new ways. They also cite the difficulty of understanding mathematical modeling as another pitfall of rationalist approaches. Constructivists also critique rationalist approaches for their assumption that all actors are rational (Wendt 1999). Rationalists believe that actors' identities and interests are fixed. However, others argue that fixed preferences cannot properly address actors' socialization and changing preferences due to social relations. Whereas rationalist approaches consider all states to have the same identity, constructivists treat identity as an empirical question to be tested (Hopf 1998).

The critique of rationalist approaches in general also applies to rationalist study of NGOs.<sup>3</sup> Different from expectation, few studies of NGOs have used formal modeling to examine these organizations, but the merit of using formal modeling is that scholars began to consider NGOs to be rational actors by including them in formal modeling (Heins 2005). This demonstrated a new trend. Constructivists were unwilling to acknowledge NGOs as rational actors because they believe that NGOs do not pursue their own material interests. However, modeling shows that this assumption is untrue and that in practice NGOs do sometimes function like rational actors. Examining NGOs through formal models allows us to have a much broader perspective. Today, the material interests of NGOs are receiving as much scholarly attention as their normative goals. In addition, scholars now admit that so-called "principled NGOs" can work against their stated moral goals, becoming corrupt or malfunctioning.

In addition, in order to overcome the limitation of assuming all preferences are fixed, rationalist scholars are incorporating a constructivist approach into their research questions. In order to study NGOs as completely as possible, rationalists are formalizing hypotheses regarding both material and ideational behaviors. For example, when they study NGO aid, researchers include both rationalist and constructivist hypotheses, questioning whether NGOs choose their site based on operational ease or people's need (Dreher, Nunnenkamp, Thiel, and Thiele 2012). Although this does not perfectly address problems caused by assuming preferences to be fixed, it somewhat deals with NGOs' changing nature and incorporates constructivist points of view.

## **Rationalist explanations for NGO nature and behavior**

Rationalists treat NGOs as rational entities that want to maximize their chance of survival. To do so, the organizations need to secure private or public funding from people or states. If NGOs have continuous support from their private members and/or governments, they can be moral actors, fulfilling their original moral mandates without worrying about survival. In other words, they do not necessarily have to be rational actors in this case. However, the number of NGOs has dramatically increased while funding sources have become less ensured, meaning that survival is not a given for NGOs. Rationalists see that NGOs are now facing a competitive market.

In this new situation, funding sources can change the behavior or even fundamental nature of NGOs. Government, or public funding can influence the nature or mission of NGOs and, in a competitive funding market with finite resources, these organizations are sometimes willing to adapt their own missions to follow donors' wishes (Bob 2010). Private funding has less

of an impact on NGO behavior, in large part because private donors are usually attracted by the organization's original values and nature. However, rationalists argue that this can change NGO behavior as well, specifically in how NGOs have started competing for private funding by engaging with the media (Cooley and Ron 2002; Aldashev and Verdier 2010; Kim, Nunnenkamp, and Bagchi 2016). Rationalist researchers, therefore, have found important relationships between NGO funding and nature/behavior. If NGOs are too eager to increase their private and public funding over the short term, the search for funding will influence their behavior, and their nature will change.

Using the assumption of rational actors, rationalists have adopted a principal–agent model to understand the relationship between NGOs and donor states. Cooley and Ron (2002) focus on NGOs' organizational security and political economic aspects, applying such a model to suggest that a liberal approach to NGOs is limited in understanding their behaviors. They argue that a political economic approach is better for understanding NGOs' constraints and set up a double set of principal–agent problems that occur between donor states and NGOs and between NGOs and recipient states. They find that agency problems, competitive contracts, and multiple principal problems lead to promoting self-interested behavior, intense competition, and poor project implementation, and conclude that NGOs pursue material gain when interacting with states, which may cause them to become dysfunctional.

As described earlier, rationalists attempt to understand NGOs as actors who obey rational instincts for survival; they use game-theoretical concepts to better understand this behavior. Heins (2005) sets up a rational game with NGOs and states: NGOs have a mixed-motive game with the government, and the game's set-up can be different depending on time period and countries. The goals of the NGOs and states can be partly harmonious or partly in conflict. For example, while the International Committee of the Red Cross (ICRC) has a preference for non-war over war, it prefers coordination with war-making states to non-coordination; that is why the ICRC has historically been willing to coordinate with war-making countries. Heins' game also shows how state–NGO relationships in the United States have changed depending on context. In the early days of NGOs, US-based organizations tended to follow orders from the US government when implementing projects. However, today many major US-based NGOs maintain a certain distance from the US government. Such a distance ensures that their international activities are not compromised by US foreign policies and that they can work with the US government when necessary.

By researching the close relationship between NGOs and donor states, rationalists are able to address donors' aid provision through NGOs. Whether or not rationalist studies successfully prove that states influence the nature of NGOs, they at least attempt to show a connection between donor states' intentions when mobilizing NGOs and NGOs' actual behaviors. In this way, rationalists attempt to prove that NGO aid delivery is significantly influenced by donor states, a counter-argument to that of constructivists, who argue that NGOs allocate funding based on humanitarian need rather than material concerns (Büthe, Major, and de Mello e Souza 2012).

Interestingly, rationalists come to mixed conclusions about this relationship and whether NGOs act altruistically in helping the neediest or selfishly in targeting the most resourceful recipients aligned with the most lucrative donors. For example, Edwards and Hulme (1996) question whether NGOs serve as the agents of donor states. They find no empirical evidence that donor states' aid provision is effective at either international or local NGOs in terms of performance, legitimacy, or accountability. Rather, receiving funding by states has a negative impact on NGOs, compromising their activities and making them more dependent on donor states' funding. Edwards (1999) takes this argument one step further, arguing that NGOs in developed countries function like the agents of donor states. Recent studies have found that this situation has not changed in recent decades and that today NGO activities remain constrained by

their domestic and international environments (Banks, Hulme, and Edwards 2015). Rationalists, therefore, hypothesize that funding sources highly influence NGOs.

To test these theories, rationalist scholars use databases of official development aid. For example, Dreher, Mölders, and Nunnenkamp (2010) examine NGOs in Sweden. Using a detailed database recording NGO aid, they find that aid delivery by Swedish NGOs is not necessarily superior to aid delivered by the Swedish government. Likewise, other studies use theoretically rational frameworks to show that NGO aid in Switzerland is very similar to official aid from the Swiss government (Nunnenkamp, Weingarth, and Weisser 2009; Dreher et al. 2012). Even though Swedish NGOs seem to be somewhat altruistic, their provision of aid is similar to that of the Swedish government in that it does not necessarily favor the neediest recipients. Rather, Swedish NGOs distribute aid to areas similar to those the Swiss government has already helped: NGO activity overlaps with that of the government. This finding implies that NGOs are not necessarily pursuing moral obligations. Although these studies do not analyze the motivation of NGOs in the choice of areas to assist, these findings suggest a strong influence of the state on NGOs. Other rationalist studies have examined NGOs in Germany, finding that they may favor working in lower-income countries (Dreher et al. 2012). However, the work of German NGOs does not complement that of the government; rather, German NGOs choose to work in an easier environment.

With the case of the United States, many rationalist studies have examined the activities and funding of NGOs using datasets regarding NGO budgets, including public and private funding, administrative overheads, etc. (c.f. Nunnenkamp and Öhler 2012; Nunnenkamp, Öhler, and Schwörer 2013). The findings of such studies are mixed: on one hand, empirical analysis supports the existing constructive and normative belief that NGOs do not act purely for their own material interest. However, on the other hand, they also illustrate that funding is essential for NGO survival, and that therefore NGOs are strongly influenced by monetary concerns.

Kim and Nunnenkamp (2015) use NGO funding sources to suggest that their sample of the US-based NGOs are more actively involved in Afghanistan and Iraq. They find that the US government is often NGOs' biggest donor, and therefore hypothesize that these organizations often choose the operational locations based on the countries in which the US government is interested. Although Kim and Nunnenkamp find no empirical evidence that US-based NGOs are choosing which countries to aid based purely on government instructions, this study makes clear that rationalists believe NGOs' motivations are not as pure as constructivists think. Indeed, other rationalist studies have proved that US-funded NGOs are often mobilized by the US government. Keck (2011) empirically analyzes US-funded NGO activities in civil wars, finding that they are more likely to be involved in countries where the United States is involved in military intervention and less likely to be active in civil wars with a high number of fatalities. This implies that NGOs are not motivated by purely humanitarian needs, but rather that they act wherever they can gain the most material benefits from relationships with political states.

In other words, in rationalist studies of NGO behavior toward recipient states, they consistently find that their activities are based on necessity and convenience, not fulfillment of a NGOs' mission or goals. For example, Mallick and Nabin (2011) study the location of local microfinance NGOs in Bangladesh and find that villages located far from a marketplace have less local NGO programming. In addition, local NGOs sponsor more projects in villages with modern amenities, such as irrigation systems. This study shows that local NGOs do not consider poverty level when deciding where to initiate projects, but rather focus on village infrastructure and conditions, since a better village environment provides a more sustainable opportunity for raising funds.

Fruttero and Gauri (2005) conduct similar studies on the locations of NGOs in rural Bangladesh, arguing that both pragmatic and humanitarian concerns should be considered when evaluating the sites of NGO operations. Their main objectives are to show whether NGOs target

impoverished areas or whether their sites are based on the need to impress donors. Their findings support the same conclusion as Mallick and Nabin: well-established NGOs choose to operate in locations where other NGOs are already operating and where governments are functioning. NGOs, in other words, focus more on soliciting donors and the success of their mission than on the needs of people in the field. Fruttero and Gauri also find that there are small NGOs in the areas where need is the greatest. Their findings support the material, strategic, and moral reasons why NGOs are more apt to operate in villages; they demonstrate that material and strategic incentives are as important as moral objectives for NGOs. Brass (2012) confirms these results; she studies NGO location in Kenya, determining that it is affected both by convenience and need.

## Rationalist explanations for the influence of NGOs

NGOs have a reciprocal relationship with other actors, including states, IGOs, and MNCs: they are both influenced by and influence these other entities. Liberalists and constructivists were the first to formulate the influence of NGOs over states' behaviors (cf. Keck and Sikkink 1998; Risse-Kappen, Ropp, and Sikkink 1999); these early studies focus on NGOs' advocacy for normative values – i.e., human rights, the environment, or democratization – in an attempt to understand how the organizations have influenced governments' decisions.

Despite this constructivist evidence that NGOs have a significant influence on government policies, rationalists have tended to undermine their impact. Similar to the original naive rationalist understanding of the nature of NGOs, they did not expect NGOs to have the influence to shape or change governments' policies. However, once rationalists admitted that NGOs do indeed influence other global actors, they began to approach the question of influence in a rational way.

Rationalists conclude that there must be a market for advocacy NGOs, which operate in “competitive arenas for funds, media visibility, and support” (Prakash and Gugerty 2010: xv; see also Johnson and Prakash 2007). The main purpose of advocacy NGOs is to influence the policies of the governments, but they tend to face the harsh environment working toward situating themselves in this competitive market to obtain funding, media attention, and public interest with limited resources. Under these circumstances, rationalists have studied why and how advocacy NGOs are competing for scarce material and reputational resources (cf. Prakash and Gugerty 2010). According to Prakash and Gugerty (2010), NGOs are individual or collective rational actors, and therefore subject to collective action problems, meaning that they are motivated both by normative and instrumental concerns. (However, NGOs will act more to address instrumental or material concerns according to rationalists.) They suggest that researchers must treat NGOs like a firm in order to truly understand their motivation and decision-making. By doing so, we can truly understand the characteristics of NGOs.

Advocacy NGOs do not always act in the best interests of those in need, instead acting to compete for the limited resources described above and therefore survive. For example, Bob (2010) points out that many of the worst human rights violations do not receive crucial aid thanks to advocacy NGOs' rational decision-making. He considers “rights activism as a global marketplace in which the supply of abuses interacts with the demand for rights issued by donors” (134). Likewise, in the field of environmental activism, advocacy NGOs often shop around for a policy venue where the policies reflect their agenda (Pralle 2010). This shopping behavior can be related to the various levels of governmental sectors, local, regional or central governments, or legislative or administrative levels. NGOs tend to provide information to influence these actors. Likewise, Kim (2017) provides a rationalist explanation for how development NGOs influence the US aid decisions, theorizing NGOs as information providers and lobbying groups that can influence states' decisions. For instance, US-based NGOs can provide information



about developing countries where they have field operations and lobby for them to receive more foreign aid from the US government. In this way, NGOs can effectively approve the conditions of recipients. In all these fields, resources, policies, and external political opportunities can influence how NGOs choose and change decision venues and policy arenas.

Rationalist analysis has found that NGOs can influence IGOs as well as states. In these studies, rationalists treat NGOs like an interest group with information, expertise, and capacity. Information access exchange allows NGOs to influence IGOs by delivering necessary information them (cf. Tallberg et al. 2015). In addition, some rationalists argue that NGOs with more resources can more effectively influence IGOs' policymaking decisions. For example, NGOs have a positive impact on the World Trade Organization (WTO), functioning like a bridge connecting citizens and the WTO to fortify the WTO's capacity and improve its credibility (Esty 1998).

Finally, rationalist studies have shown NGOs also have an influence on MNCs. Rodman (1998, 2001) demonstrates how NGOs can mobilize the public to affect MNCs. Specifically, they have hindered MNCs from investing in states violating human rights by mobilizing consumers to protest. In addition, NGOs have mobilized support among MNC shareholders and state governments through lobbying. At other times, NGOs must compete for their influence with other entities. Sell and Prakash (2004) show that both MNCs and NGOs act as rational actors competing for influence over the WTO's policy agendas. In this case, while people expect NGOs to work quite differently than MNCs, their strategies and actions are often quite similar to MNCs and they impose their own agenda in similar ways.

## Limitations and merits of rationalist explanations for NGOs

Scholars often criticize the rationalist studies of NGOs as failing to address critical aspects of these organizations and so failing to completely understand them. While I addressed some general limitations of the rationalist approach in the introduction to this chapter, it is necessary to understand how these limitations affect the study of NGOs for future productive study with the perspective of rationalists. These limitations can be broken down into three main points.

First, and most important, rationalist studies focus too much on the material aspects of NGOs, ignoring the organizations' genuine or hidden motivations and overestimating the importance of economic interest. Examining only funding data makes it appear as though NGOs pursue public funding by donor states above all else. However, in actuality, while NGOs do pursue public funding, the money itself does not really mobilize these organizations entirely: rationalist studies that focus only on quantitative numbers therefore often misinterpret NGOs' actual behaviors. On the surface, for example, NGOs target government funding sources. However, analyzing their activities in more depth shows that instead NGOs pursue not only public funding but also their missions. Using other methods, such as interviews with staff from various NGOs, can reveal other priorities besides money (Kim 2017). When public funding does not comply with NGOs' ultimate goals, they do not pursue them, no matter how big they are. In other words, when rationalists analyze NGO funding and aid, they tend to ignore the real mechanism of decision-making.

Second, rationalists assume that all actors are static, a limitation I have discussed previously in this chapter. In the case of NGOs, that means rationalists assume all NGOs are the same and are unaffected by interactions with other actors. They attribute a single strategic rationality to all NGOs (DeMars and Dijkzeul 2015). However, there are an enormous number of NGOs in the world, and each organization's characteristics vary drastically, with differing activities, active locations, home countries, and histories. It is almost impossible to rationally assume that these NGOs share common characteristics. Rationalists' use of a single rational tool is not the best



way to analyze the diversity of NGOs that exist throughout the world. This is especially true because, unlike states, NGOs adapt to changing circumstances. For example, many human rights NGOs become humanitarian organizations under authoritarian regimes, switching their focus to addressing economic issues in order to survive under the changing government (Lankov 2004).

Finally, rationality may not be the best tool with which to analyze NGOs. Although rationalists are well aware that NGOs work toward ideational values, they tend to focus on the organizations' political and economic interests rather than their altruistic ones. However, this added moral dimension means that not all the behavior and identity of NGOs may be rational. For example, people's altruistic behavior in donating money to NGOs is not rational, nor is founding an NGO devoting one's life to something meaningful rather than economic gain. The people who work for NGOs and sacrifice their entire lives working in harsh conditions to improve other people's lives are not rational. The only rational activity of NGOs, in other words, is their pursuit of funding for survival. Rationalists focus on this issue too much, ignoring the real nature of NGOs and jumping to conclusions about the rationality of these organizations.

Despite the limitations of the rationalist method of studying NGOs, there are also merits to this approach. First, rationalists provide a logically consistent and precise analysis (Walt 1999). Language often causes theories to be misunderstood, especially when addressing complex concepts or ideas. Rationalism, with its reliance on numerical notation, eliminates the possibilities for confusions. Indeed, even without formal modeling rationalist approaches are logically precise: their clear rational propositions are easily understood and even verbal explanations of rationalist approaches are much clearer than constructivist or other understandings. For example, material interests are an easier and clearer way to explain individual or state behaviors than discussion of norms: people understand norms differently based on their experience and knowledge, while material interests are clear enough for all people to understand them almost identically. In the study of NGOs, rationalists use logical consistency and precision to clarify their nature, activities, and influence without prejudice or illogical assumptions. Constructivists, on the other hand, tend to glamorize NGOs, regardless of their real intention or motivation. While most NGOs are working toward their moral goals, there are also many ill-functioning NGOs only working for their own survival and expansion: the rationalist objective lens is a necessary tool to help us see these organizations more clearly.

Second, the rationalist approach might provide scholars with the more useful tools to understand NGOs. Because of constructivist works and general belief, we sometimes take for granted that NGOs are moral actors. However, there is no reason NGOs should necessarily act morally, and this assumption can be more dangerous than assuming all NGOs act rationally: this assumption narrows the possibility of studying NGOs objectively and logically based on empirical evidence. Rationalists' logical consistency and precision opens up the possibility of immoral NGOs. As the number of NGOs has increased, there are certainly many dysfunctional organizations working for material interests, a rational choice. Indeed, many scholars, including rationalists (cf. Edwards and Hulme 1995; O'Dwyer and Unerman 2008), have already argued for greater accountability in order for NGOs to be more sustainable. They caution that bad decisions are possible because all actors have the incentive to survive, regardless of their initial moral foundations.

Finally, the rationalist approach shows that the rational understanding of NGOs can be combined with other approaches, including a constructivist one. Rationalists do not exclude arguments that NGOs might not act rationally. Rather, they attempt to incorporate existing beliefs and hypotheses about NGO behavior, whether rationalist or constructivist, and approach the question from a different theoretical perspective to shed light on the real characteristics of NGOs. For example, rationalists include constructivist hypotheses such as NGOs' moral behaviors when they test their hypotheses regarding rational behaviors of NGOs (see Nunnenkamp,

Weingarth, and Weisser 2009). As described earlier in this chapter, rationalists admit they once underestimated the power of NGOs; as NGOs become more powerful, they tend to act more rationally rather than altruistically, behavior that supports rationalist hypotheses. Since NGOs demonstrate both rational and altruistic behavior, rationalist tools may be significantly useful in helping to understand these organizations, their motivations, and their behavior.

## Conclusion

The study of NGOs has suffered from several obstacles. Even after the Cold War, relatively few scholars study this area, and it has taken more than 50 years for researchers to consider NGOs as an important actor (cf. Nye and Keohane 1971). Theoretical understanding of NGOs was quite limited due to the lack of scholarly interest and the fact that traditional IR theories cannot account for NGO behavior due to their incorrect presuppositions (cf. DeMars and Dijkzeul 2015). Along with the lack of developed theories, there was also a dearth of empirical data on NGOs compared to data from state-centric studies.

As the scholarship on NGOs increases, rationalists have begun to significantly contribute to understandings of these organizations, using the assumption of rationality to highlight critical points on the nature, behaviors, and influence of NGOs. According to the rationalist perspective, if NGOs are rational actors, their ultimate goal is to increase their private and public funding, public support, and media attention, contradicting their original moral goals. Rationalist research on NGOs, therefore, focuses on the organizations' funding, aid distribution, choice of locations, and advocacy to determine whether NGOs are really pursuing their original goals. Not surprisingly, rationalists have provided evidence that NGOs sometimes act rationally, not morally or altruistically. Even though this is not surprising to rationalists, these findings have broadened the general understanding of NGOs. In addition, as rationalists use empirical data to prove their theories, there are a growing number of databases on NGOs that benefit not only rationalists, but other scholars conducting research as well.

I have experienced the importance of the rationalist perspective myself, recently working as an external evaluator for World Food Programme's zero hunger projects, which receive multi-bi funding from the South Korean government and have an NGO as an implementing partner in Tanzania and Bangladesh. In my position, it seemed more effective to assume that all actors, including an NGO, were rational; otherwise it would be hard to make an objective assessment. However, that is not to say that other approaches to studying NGOs, including constructivism, are biased or more positive toward NGOs. Rather, evaluators must be rational in determining whether goals are accomplished based on a measurable outcome. Nonetheless, I cannot overstate the fact that most NGO staff I met in the field were highly moral and working to bring about a better world. To use rationalist tools effectively, therefore, we must balance rationality and morality to contribute to our understandings of NGOs.

While it may seem that rationalist research has uncovered a negative side of NGOs, rationalists have no intent of discrediting these organizations. Rather, their work positions us to better and more deeply understand NGOs (Banks, Hulme, and Edwards 2015). Failing to consider rational aspects of NGOs does not help us better understand their nature, behavior, and influence. After all, all NGOs cannot be perfectly moral or rational. Their characteristics should be understood with the mixed viewpoints of morality and rationality. For example, while many NGOs devote themselves to saving lives in harsh conditions, some NGOs are just eager to raise money for their own staff and even sometimes involved in scandal. For the better understanding of NGOs, we need to add the rationalists' critical point of view toward NGOs. In this chapter, I attempted to show the implications of the rationalist perspective for broadening the study of NGOs in the future.

## Notes

- 1 There are many different kinds of NGOs depending on how we define NGOs (see Clarke 1998; Willetts 2002). Because of the broad range of NGOs, some NGOs are not altruistic. NGOs such as professional associations may be more oriented merely toward providing services to their own members. In this case, NGOs do not need to be altruistic.
- 2 It would be almost impossible to include all rationalist NGO studies, and so I intend to focus only on more recent and relevant literature. I also want to say that scholars included here might not be rationalist per se, but they are included if they used rationalist tools to understand NGOs.
- 3 The fifth section considers both the limitations and merits of rationalist methodology in more detail.

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# NGOs and post-positivism

## Two likely friends?

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Non-governmental organizations (NGOs) have arrived as a subject of analysis in the discipline of International Relations (IR). While still treated in a rather peripheral fashion until way into the 1980s, there now is a burgeoning literature related to the organizations and a vast number of topics ranging from their role in the evolution of human rights or environmental norms to their relationship with other actors, their institutional make-up, and their power base. That NGOs have moved from the margins to the center can be attributed to the ‘post-positivist turn’ in IR which broadened among other things our understanding of actorness. While once tightly linked to states, with this theoretical opening non-state actors came into view. In this chapter we will address why and what it means to study NGOs from a post-positivist perspective. We suggest that it is the notion of power and structure on which this perspective rests that is particularly useful when studying NGOs. It allows us to capture their agential and transformative potential, but also makes us aware of their biases and limitations. Before we turn to this argument and delineate how scholarship related to NGOs has evolved, we briefly depict what we take to be the main contours of post-positivism more generally.

### **Post-positivism: why and in what way ‘post’?**

Post-positivism is a big umbrella term for a wide range of approaches (Lapid 1989, 239), including constructivist, post-structural, critical, feminist, and postcolonial. While these approaches vary in their interpretations, they share a number of epistemological and ontological assumptions.

Post-positivists seek

to open some space within modern Western theory so that voices otherwise marginalized can be heard; that questions otherwise suppressed can be asked, that points of analytical closure can be opened for debate, that issues and arguments effectively dismissed from the mainstream can be seriously reconsidered and re-evaluated.

*(George 1989, 273; see also Brown 1994, 214)*

With this professed aim, proponents of this school of thought responded to the predominance of the positivist paradigm throughout the Cold War period to which structural realism or liberal

institutionalism, for example, ascribed. Post-positivists have in common that they contest, as Der Derian put it, 'the very language, concepts, methods and history (that is, the dominant discourse) which constitutes and governs a "tradition" of thought in the field' (Der Derian 1988, 189). These include, according to George, (1) a rejection of naturalism, (2) a focus on social, historical, and cultural instead of rational and material factors, (3) a rejection of the belief in objective knowledge, and (4) a focus on the constitutive power of language (George 1989, 272). In addition, post-positivists consider historicism as an important part of their theorizing and research (Biersteker 1989, 264).

Post-positivists are skeptical of the idea that the 'same kind of analysis' could be applied to the social and the natural sciences and that there is no fundamental difference between each (Smith 2000, 383). Nor do they share the commonly held belief of positivists that social phenomena can be reduced to natural/material factors and that there is a 'world out there' that can be objectively known (Hollis and Smith 1990, 46), let alone that general theories can be derived from it that then can be applied universally across time and space (Wight 2006, 21). Instead, 'there is a scepticism of monological answers, totalizing theories, and disciplinary ideologies posing as natural, self-evident truths' (Der Derian 1988, 192) among most post-positivists. In light of their rather clear sense of what they object to with respect to positivism, it might seem surprising that it is much more difficult to depict what post-positivists do 'accept' (Smith 2000, 127) and what is characteristic of them. However, post-positivism includes a variety of approaches, which differ in the degree to which they adhere to what has been deemed a reflectivist epistemology.

In contrast to positivists who are mainly interested in 'why' questions, proponents of post-positivism are much more concerned with 'how possible' questions. According to Alexander Wendt, they problematize outcomes rather than taking them for granted (Wendt 1999, 83). For this purpose, they draw on a broad range of hermeneutic tools not seldom from outside the discipline. Based on the assumption that knowledge is context-bound and time-specific, post-positivists have no interest in the formulation of universal law-like statements; instead, their aims are more modest. They engage in so-called middle-range theorizing. Contrary to positivist theories which privilege their way of doing research, in the eyes of Doty, post-positivism rejects such methodological monotheism. Instead, it is premised on the assumption that there is not only 'one way to examine the implications of post-positivism for a specific area of investigation' (Doty 1993, 307, nt.11). The rejection of grand theories can to some extent be attributed to the acute awareness of post-positivists of their own limitations and subjectivity.

Many proponents acknowledge their own identity boundaries and how they cloud or shape the theorizing they engage in, which is why they also contest the positivist assumption that scientists are neutral observers. While feminist scholars were among the first within the discipline to expose the gender-biases in supposed value-neutral theories, postcolonial approaches have drawn attention to the 'white supremacy' (e.g., Watson 2001 or Krishna 2001) in international politics. Together they have been critical of central theoretical concepts, including that of the rational actor which is modeled after a white male and serves as a normative standard to which all others should strive. At the same time as post-positivists are alert of their own subjectivity, many of them also are acutely aware that they are implicated in international politics that they study.

Contrary to their predecessors, post-positivists recognize that science has an emancipatory role to play. As much as it can contribute to change within a discipline, theorizing may have constitutive and productive effects with respect to the actors and processes we study. The work of critical theorists, such as Richard Ashley (1981) or Robert Cox (1981, 1983), is illustrative in this respect. Unlike proponents of realism or liberalism which perceive International Relations as taking place within pre-given boundaries, they presume an open-ended system in which



social relations and identities are changing and evolving (Roach 2013, 174). By problematizing the origins and social content of existing structures, these scholars are interested in locating the pockets and requirements for systemic transformation by, among other things, laying bare the structural contradictions of international institutions and hegemonic state power (see, for example, Cox 1981, 1983). In addition to challenging the epistemological claims regarding objectivity, value-neutrality, and generalizability, post-positivists also differ from positivists because of their social ontology. They are interested in ‘such diverse phenomena as, for example, inter-subjective meanings, norms, rules, institutions, routinized practices, discourse, constitutive and/or deliberative processes, symbolic politics, imagined and/or epistemic communities, communicative action, collective identity formation, and cultures of national security’ (Christiansen, Jorgensen, and Wiener 1999, 530). As already alluded to, post-positivists have much wider notions of politics and concomitantly define actorness in much broader terms. Rather than limiting it to states, post-positivists stress the role of non-state actors, corporate as well as individuals, engaged in social protest, victims of ethnic conflicts, or recipients of aid. Knowledge, ideas, or identities are treated as endogenous (as opposed to exogenous) and constitutive of material interests. Moreover, structures are not simply equated with the distribution of material resources among the actors, but rather as being reflective of collective and shared understandings (Searle 1995; Collins 1997), the (colonial) past, and the cultural substrate in which they evolved and that help to sustain gendered and racial inequalities or hierarchies among others.

In addition to their regulative function dimension, structures also have productive qualities giving rise to and empowering agency, or as Barnett and Duvall posit, it ‘is the constitution of all social subjects with various social powers through systems of knowledge and discursive practices of broad and general scope’ (Barnett and Duvall 2005, 55). Structures and actors are not perceived as exclusive. Instead, they condition each other through structuring effects (Wendt 1992, 394) with the ‘meaningful practices, and hence, human agency . . . producing, and reproducing and possibly transforming these structures’ (Barnett and Duvall 2005, 49). For example, and as Sandra Whitworth (1994) has illustrated in her work on international organizations, the International Labour Organization (ILO) throughout time has reinforced particular views about women and men in the workforce. Conceiving of the male worker as the ‘norm’ (Whitworth 1994, 389), it has reproduced the assumption that ‘women are different’, not ‘real workers’, ‘and thus not entitled to the same rights, remuneration, and obligation as men’ (Whitworth 1994, 389). And at the same time as male workers were seen as the ‘norm’ and ‘beneficiaries of this privileged position’ (Whitworth 1994, 389), they also did not exist outside this role and were not subject to, for example, protective legislation (Whitworth 1994, 389).

As much as the epistemological and ontological assumptions outlined above are characteristic of post-positivist approaches, they have to nevertheless be treated with care since they are not equally shared. In fact, depending on how much or how little proponents ascribe to these ideas, some of them may be closer to their positivist than to their post-positivist peers (see Christiansen, Jorgensen, and Wiener 1999, 536–537). Moreover, they figure more or less prominently in research related to NGOs, to which we now turn.

### **From the periphery to the center: establishing NGOs as a relevant subject of analysis**

Since the 1990s, NGOs have played an increasing role in world politics and become an accepted subject of study. The paralleling of these trends lends meaning to the assumption of post-positivists related to historicity. Theorizing does not occur in a vacuum, but instead is context-bound. The end of the Cold War confounded many state-centric and positivist theories due



to its non-violent termination and the role civil society organizations played in the spread of liberal ideas. The since then burgeoning literature related to NGOs is reflective of the plurality of approaches subsumed under the post-positivist paradigmatic roof.

Especially the studies of the early 1990s are characteristic of a rather 'soft' post-positivism or what now is frequently referred to as mainstream constructivism. While informed by a sociological ontology, these 'first-generation' scholars still held on to certain positivist assumptions, including that of rationality on the part of the actors. The pioneering work of Margaret Keck and Kathryn Sikkink (1998) is indicative in this respect. While the authors conceived of NGOs as morally driven actors, they also considered them to be strategic in the advancement of their goals (see Keck and Sikkink 1998). However, the pairing of post-positivist and positivist assumptions figured also in the works of other scholars who at the time were particularly interested in the role of NGOs in the emergence and spread of, for example, the anti-torture norm (e.g., Clark 2001), the international ban on gender-based violence (e.g., Joachim 2007), the denouncing of chemical weapons (e.g., Price 1998), or the growing environmental consciousness (e.g., Lipschutz 1992).

The influence of NGOs was frequently considered to be a product of both moral as well as material leverage (Keck and Sikkink 1998, 23–24). At the same time as these organizations persuaded governments of the appropriateness of their principled ideas, they exerted pressure by 'framing' their arguments in a strategic manner. While in some cases this meant linking up to already accepted ideas (Joachim 2007) or 'grafting' them onto existing norms (Price 1998), such as, for example, human rights, in other instances it involved the politicizing of issues formerly perceived as technical. For example, NGOs making up the International Coalition to Ban Landmines (ICBL) symbolically staged the effects of these weapons, by 'placing mountains of shoes on legislative grounds' to draw attention to the victims and the footwear they no longer needed because of the injuries they had incurred (Price 1998, 618). And yet, at other times organizations strategically used information to 'shame and blame' those who breached internationally agreed-upon standards or they enlisted the support of like-minded states or celebrities.

The adoption of a 'soft post-positivism' when studying NGOs might be explained by the then often-felt need by scholars (particularly early on) to demonstrate that it is possible to do research with these approaches in the manner conceived by their predecessors. Ironically, this meant living up to pre-established positivist norms that they had set out to challenge. In this vein, authors quite frequently went to great lengths to demonstrate how and in what manner 'shared understandings' and 'collective ideas' mattered to actors and that the pressure exerted by NGOs showed effects. In addition to setting in motion iterative or spiral-like processes (Risse, Ropp, and Sikkink 1999) of norm acceptance, with targeted actors initially ignoring or justifying their inconsistent behavior but eventually embracing the ideas promoted by NGOs (see also Finnemore and Sikkink 1998), these organizations were also seen as responsible for institutional or procedural changes (e.g., Joachim 2007). Although mainly concerned with their socializing potential, scholars already also acknowledged the productive power of these organizations and their potential to empower otherwise 'weak' actors which, now backed by an international consensus, could claim their rights (e.g., Friedman 2003). Moreover, studying NGO campaigns and international events that contributed to their visibility also created space for otherwise marginalized voices in academic debates. For example, critical and postcolonial feminist scholars perceive the achievements of women's and environmental groups to place their issues on the international agenda during the United Nations special conferences in the early 1990s much less favorably. In their eyes the organizations reproduced rather than challenged power asymmetries between North and South and framed their issues in Eurocentric and exclusive ways (e.g., Basu 1995; Mohanty 2002).

Furthermore and perhaps because of their overriding interest in demonstrating the power of ideas and norms in international politics, first-generation NGO scholars fell into the same trap as their positivist peers. They conceived of the actors they studied in a rather monolithic fashion, leaving aside the differences that prevailed between and within them. Furthermore, also inherent in these studies was often an idealized view of NGOs. They were perceived as essentially morally good actors that ‘stand for good things such as democracy, empowerment, participation’ (cf. Stromquist 1998/99, 65), as ‘an integral component of civil society and an essential counterweight to state power’ (Edwards and Hulme 1996, 962) or ‘as conveyor belts carrying Western liberal norms elsewhere’ (Keck and Sikkink 1998, 211), and contributing to progress and positive change in international politics. In the eyes of Ginsburg who reflected critically on the subject, NGOs appeared to have ‘serve[d] as shorthand for “New Great Organizations”’ (Ginsburg 1998/99, 29) or, according to Götz, as ‘vehicles for political expectations tied to the agenda of either social movements or neo-liberal socioeconomic doctrines’ (Götz 2008, 232). Differences or power asymmetries between NGOs were hardly acknowledged, let alone theoretically problematized.

### **From demonstrating NGO impact and influence to problematizing the actors**

While the label post-positivist might not exactly be perceived as entirely fitting for studies of the 1990s, post-positivists nevertheless contributed significantly to NGOs becoming an accepted field of research. They also prompted a next generation of scholars to adopt an inward- rather than an outward-looking perspective and to dig deeper into the post-positivist tool box when studying the organizations. Instead of conceiving of NGOs as a cause of normative change, the actors themselves and their constitutive parts increasingly received attention. In particular, the stylized notion of NGOs and the often-prevalent definition of these organizations as non-profit, non-state, and neutral actors were subject to more critical reflection.

Offering a genealogy of the term, Norbert Götz finds the definition reflective of the attempt to ‘narrow down the meaning of the NGO concept to a manageable research unit’ (Götz 2008, 234), while Aamore and Langley find it highly problematic as it ‘overplays the consensual and coherent characteristics of Global Civil Society to the neglect of power relations, contradictions and tensions’ (Aamore and Langley 2004, 97). The way in which the term NGO has been and still is used in scholarly writing does not reflect that the concept is ‘an outcome of political games played by various actors, with language and conceptual frames used as powerful tools shaping perceptions and minds, restricting and containing the signified organizations’ (Götz 2008, 233). When it was, for example, introduced within the UN framework, the term ‘served as an important rhetorical marker of the difference . . . [to] intergovernmental organizations that had been given status in San Francisco, and ultimately worked as a conceptual device to keep out unofficial organizations’ (Götz 2008, 240). To this day, the definition of NGOs within the UN functions in this manner and as a standard based upon which some organizations obtain privileged access to meeting rooms and documents while others are denied consultative status. However, contestation over what constitutes an NGO originates not only from within state institutions, but rather NGOs themselves are implicated in this definitional struggle.

With these organizations vying for influence and confronted with competitive pressures due to their numerical growth, identity politics over who and what constitutes an NGO has intensified as well. Studying the trend of commercialization among humanitarian NGOs, Joachim and Schneiker, for example, find these organizations engaged in an increasingly self-referential

discourse as to who is the better, more efficient, and effective humanitarian organization (Joachim and Schneiker 2017). In addition, adopting a post-structuralist perspective and exploring the relationships between organizations engaged at the international level and local level, scholars in recent years have drawn attention to us-versus-them dynamics between Southern NGOs who feel increasingly estranged from their Northern peers and who in their eyes represent a privileged elite detached from the real needs of their constituents (see Friedman 2009; Basu 1995; Mohanty 2002; Hahn and Holzscheiter 2013). Proponents of a postcolonial perspective and with a focus on environmental NGOs have arrived at similar conclusions and illustrated the ways in which Northern organizations reproduce colonial discourses from the past (e.g., Athanasiou 1996; Doherty and Doyle 2006). Acknowledging that 'some international NGOs are making a concerted effort to be sensitive and to establish respectful links with southern NGOs', Dilevko, for example, asserts that 'other international NGOs remain ensconced in a paternalistic and hierarchical relationship model' (Dilevko 2002, 87).

At the same time as such critical reflections have been more attuned to the diversity among the organizations, they nevertheless have not given up on a 'monolithic' view of NGOs entirely. Although more recent works pay more attention to Southern NGOs, they see them nonetheless as similar to their Northern peers as homogeneous groups with little regard to differences among and dynamics within them. For example, while conceiving of the environmental movement as being composed of diverse and plural actors, Doherty and Doyle (2006) nonetheless suggest that Northern NGOs quite often favor 'a post-industrialist lens' and their 'environmentalism challenges the excesses of the industrialist project; the rights of corporations to pollute and degrade; and the dwindling of the earth's resources as they are fed into the advanced industrial machines', while Southern NGOs distance themselves from the 'post-colonialism as the narrative frame' and 'descriptive of the experience of the majority of the earth'. Instead, 'green concerns are cast in the light of the colonizer versus the colonized; the dichotomous world of affluence and poverty; along structuralist lines between the haves and the have-nots' (Doherty and Doyle 2006, 707).

However, studies which conceive of Southern NGOs not only as objects of such marginalizing discourses and the politics of othering are gaining in visibility. Based on two case studies, Shareen Hertel (2006) shows that local NGOs in the South are indeed able to exert influence independently and can make their voices heard, while Martin estimates the power of Southern NGOs, particularly with respect to issues related to climate and the environment, to have significantly increased over recent years (Martin 2011, 26). Moreover, individual analysis frequently informed by a postcolonial perspective has laid bare how NGOs independent of their origin themselves contribute to power asymmetries insofar as they 'often tend to perpetuate an identity of their constituency as particularly powerless, mute and vulnerable in order to justify their own role as rightful representatives', as Holzscheiter and Hahn illustrate in their study of the cases of child labor and prostitution and drawing on the writings of Foucault (Hahn and Holzscheiter 2013, 499). Neither are the power asymmetries and dependencies between NGOs uni-directional. In her analysis of North American and Central American NGOs, Lister, in fact, finds a 'double dependence' as the relationships that Southern NGOs (SNGOS) maintain with those from the global North (NNGOs) depend also on the relationships that the latter maintain with donors (Lister 2000). Although contributions of SNGOs have, in her eyes, the potential to redress power imbalances, '[t]he framework and activities of the donor and the NNGO are constructed so as to reduce the need for the resources of legitimacy and local knowledge and thus diminish "downward" dependence' (Lister 2000, 12).

Increasingly cognizant of the problems associated with monolithic conceptions of NGOs, in recent years post-positivist scholars have begun to shift their focus to

practices of resistance rather than organized efforts at collective change and suggest that in the context of globalization we need to focus on the relationship of movements with public spheres, modalities of power and resistance, identity formation, and their normative penumbræ.

*(Desai 2005, 320 in reference to Guidry et al. 2000)*

In this respect, the structures in which the actors are embedded and which shape their behavior, their interactions, their power, and their self-understanding have been of particular interest.

## **From NGOs as actors to NGOs as structures**

First-generation scholars already acknowledged that a focus on the actors alone would be insufficient since the immaterial structures in which NGOs exist were deemed of equal importance. Nevertheless, similar to the conception of actorness, theoretical thinking related to structural dimensions and their impact has evolved since then.

In their pioneering work, Keck and Sikkink, for example, speak of transnational advocacy networks (TANs) in which NGOs are embedded. Defined as ‘communicative structures’ and ‘political spaces, in which differently situated actors negotiate – formally or informally – the social, cultural, and political meanings of their joint enterprise’ (Keck and Sikkink 1998, 3), these networks ‘provide access to information’ to those involved, ‘broaden their legitimacy, and help to mobilize information around particular policy targets’ (Keck and Sikkink 1998, 21). Although this definition of structure at the time presented a radical departure from positivist research in International Relations, it ignored that networks were not an even-level playing field with information flowing freely from A to B. Instead, the actors in a network (conceived of as a structure) possess different forms and quantities of power with some being more powerful than others as, for example, in terms of agenda setting.

Studying the non-adoption of the issue of children born of wartime rape in TANs, Charli Carpenter argues that some organizations act as ‘gatekeepers’ who decide whether an issue is adopted by a TAN or not (Carpenter 2007a, 2007b, 2009) while Clifford Bob points to the gatekeeping role of Northern NGOs, whose material and ideational resources put them in a position to support some issues and actors, while denying the same support to others (Bob 2005).

Rather than conceiving of NGOs (as actors) within a network (structure), scholars more recently conceive of NGOs in terms of structure as well as arguing that the external actions of NGOs, including their power and influence, depend – among other things – on the internal structure of NGOs. As for human rights NGOs, Wendy Wong, studying Amnesty International (AI) and Human Rights Watch (HRW), suggests that the credibility of these two organizations is based on their particular internal structure defined in terms of ‘membership, funding sources and the distribution of agenda-setting powers’ (Wong 2012, 87–88). For example, because of its large membership base, AI can position itself credibly as a movement and a grass-roots organization. Compared to HRW, which is not a membership organization, but consists largely of paid researchers who target political elites instead of activists, AI’s membership provides the organization with a larger mobilizing capacity. At the same time, however, it also ‘limits its capacity to produce generalized reports and expand the scope of its activities’ (Wong 2012, 93). While these examples highlight that NGOs have as much agential as well as structural qualities, they draw attention to the internal constitution of organizations and how it affects their positioning vis-à-vis others in the wider environment, subjects which scholars have become increasingly interested in more recently.

In this respect, a number of studies have examined the internal make-up of NGOs and the distribution of resources between divisions as it relates to the propensity for conflict and organizational fragmentation (e.g., Hopgood 2006; Suzuki 1998; Wong 2012). Research related to humanitarian NGOs, for example, points to existing tensions between management at headquarters and field staff in the local offices due to differences in values and power resources and distinct approaches (e.g., Heyse 2006; Krause 2014; Roth 2015, 92; Suzuki 1998, 1). Whereas the latter focus mainly on their target groups – usually populations in need – the various divisions at the headquarters are often concerned primarily with public relations, project funding, maintaining relationships with donors, and human resource management (Suzuki 1998, 4–5). Because of their altered view and findings, students of NGOs have called into question that these organizations are only normatively driven, but instead purported the view that they are political actors. This assumption has also been reinforced by more recent developments.

Taking a closer look at how NGOs behave in the field and when, like human humanitarian NGOs, delivering assistance to victims of conflicts of environmental disasters, studies have found paradoxical patterns. Instead of alleviating suffering, NGOs at times may contribute ‘to harm by doing good’ (Wood and Sullivan 2015). As Wood and Sullivan (2015) as well as others (Coyne 2013; Terry 2002) illustrate, ‘[a]id encourages rebel violence by providing opportunities for looting and presenting challenges to rebel authority. It potentially encourages state violence where it augments rebel capabilities or provides rebels a resource base’ (Wood and Sullivan 2015, 736). Similar to humanitarian organizations which in light of such ‘negative externality costs’ (ibid.) have started to acknowledge the political implications of their actions, scholars too more readily admit that NGOs are always to some extent a reflection of and limited by the very same structures they seek to change.

Literature concerned with the trend toward commercialization and marketization in humanitarian NGOs speaks to that point. Pressures emanating from competition for donor money and projects prompt organizations to behave in a firm-like fashion evaluating whether and where to deliver aid not on the basis of need, but rather based on organizational interests, the likely rate of success, and the likely donations it might generate (see, e.g., Cooley and Ron 2002). Because such cost-benefit considerations might be shared only by particular units within an organization, and but be at odds with the moral principles which still may motivate individual staff members, they can ignite ‘a struggle . . . over the very soul of the institution’ (Albert and Whetten 1985, 272) or ‘threaten the non-profit sector’s ability to remain distinct from other sectors and uniquely address social problems’ (Sanders and McClellan 2014, 69), as some non-profit scholars have warned. Instead of ensuring organizational survival, marketization or commercialization may, thus, accomplish the exact opposite. Moreover, these processes are not limited to the organization as such, but may affect its different layers.

Having studied the motivations of aid workers, Silke Roth, for example, finds that the self-benefit logic with which, according to Cooley and Ron (2002), organizations increasingly approach decisions related to their engagement also motivates individual staff members who conceive of their work as an ‘escape from routinized work patterns’ (Roth 2015, 60) or seeking adventure and risks, including physical risks (Roth 2011, 159; 2015, 60). Furthermore, marketization and commercialization also have taken hold of NGOs’ constituents and members who no longer appear to be driven by altruism alone, but by instrumental reasoning as well, such as expected reputational gains within their peer group or enhanced job opportunities when being mentioned on one’s personal CV or heightened self-esteem. While changes among the supporters of NGOs have not yet received much attention, the work of Saurugger implies that the organizations already perceive of them differently. Rather than treating them simply as activists, NGOs relate to their constituents as ‘check-book participants’ (Saurugger 2009, 11)

or ‘consumers’ who buy products of the NGOs, such as T-shirts and cups bearing the organizations’ logos, or gain in status by receiving appreciation for what they do from their peers or others (Lorimer 2010; Maier, Meyer, and Steinbereithner 2016, 7).

In light of these ongoing changes inside NGOs as well as to capture their relationships with the broader environment, individual scholars drawing on the work of Foucault have favored a governmentality perspective with respect to these organizations, based upon which NGOs are ‘both an object and a subject of government’ (Sending and Neumann 2006, 652) or put differently, at the same time as they contribute in the regulation of the activities of other actors, their own behavior is subject to control. Epstein’s analysis of the contribution of environmental NGOs to an ever more powerful global discourse condemning whale-hunting is an illustrative example of this strand of research. He finds NGOs not only as actively taking part in the construction of the anti-whaling discourse, but also as being themselves constructed in this process by being part of a specific field of interactions (Epstein 2008). Similarly, contrasting the international campaign to ban landmines with the role of NGOs in international population policy, Sending and Neumann show

that the self-association and political will-formation characteristic of civil society and non-state actors do not stand in opposition to the political power of the state, but is a most central feature of how power, understood as government, operates in late modern society.  
(*Sending and Neumann 2006, 651*)

Exploring the spread of ‘managerialism’ among development NGOs, Cooke (2004) and Murphy (2008), among others, suggest that being representative of a dominant understanding of development management nurtures asymmetrical power relations between the West and the rest of the world. Girei (2016), in turn, based on a neo-Gramscian perspective asserts that the spread of such a mindset among local organizations can be likened to hegemonic expansion involving an ‘interplay between consensus and coercion’ (Girei 2016, 194). Finally, examining NGOs position toward states’ reliance on private companies for the provision of security and police-related tasks, Joachim and Schneiker suggest that the organizations, through their involvement in multi-stakeholder dialogues aimed at establishing rules and norms for the companies, contribute ‘intentionally or unintentionally . . . to the stabilization, depoliticization, and legitimization of private security governance and an emerging neoliberal order’ (Joachim and Schneiker 2015, 13–14).

The various examples cited from the literature here suggest that akin to the notion of ‘actor-ness’ of NGOs, research related to the structural dimensions of the organizations has changed over time as well. It illustrates that post-positivist-inspired research is rather pluralistic and cannot be easily subsumed under one label.

## Conclusion

Perhaps because of this diversity in approaches, the research related to NGOs has come a long way. While initial work dating back to the 1990s was still very much influenced by the positivist paradigm, especially its causal logic, it firmly established these non-state actors as a widely accepted field of study. Embracing post-positivism more readily and fully, later contributions reflected critically on the normative and idealist notion of actorness and drew attention to the power structures in which NGOs were embedded, the power asymmetries prevailing between and within them, and how these organizations contributed to their existence. NGOs were no longer perceived as ‘forces of the good’ only, but also as instrumental, egoistic actors with at times pathological behaviors.



As much as research has moved away from describing and explaining what NGOs do and toward an understanding of the actors themselves and how they are simultaneously affected by and have an effect on their broader environment, the challenges of studying them in this manner also have exponentially increased. Opening up the ‘black box’ (Heyse 2011) of NGOs and studying these organizations with a post-positivist lens affords researchers not only access to internal processes. Instead, it means nearly anthropological work to understand what symbols, practices, and discourses mean while constantly reflecting on one’s own subjectivity. From the perspective of NGOs, granting this type of access to scholars may not always be to their liking since the findings could be conceived as counter-productive to their work or even outright embarrassing. When viewed from the position of the researcher, pressure for tenure, getting published, and a lack of resources may stand in the way of investing in this type of research. Fortunately, however, there are still enough who despite such difficulties and pressures are committed to constructivist, critical, postcolonial, feminist, or post-structuralist approaches and contribute to the steadily growing body of post-positivist NGO research.

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# NGOs in constructivist international relations theory

*Christopher Marc Lilyblad*

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Non-governmental organizations, or NGOs, generally do not fall into the “armed” or “violent” non-state actor category. On the contrary, most NGOs reject violence as a matter of principle. Since contemporary NGOs clearly lack recourse to coercive practices through the organization, not to mention monopolization, of organized violence, it would certainly be difficult to imagine NGOs as true powerbrokers in a structural (neo-)realist world of material power distributions and imbalances. Similarly, though some NGOs, especially those established by private philanthropists, wield significant financial resources and corresponding leverage over weaker states or even intergovernmental organizations (IGOs),<sup>1</sup> the vast majority of NGOs are not-for-profits seemingly in constant search of funding. Accordingly, NGOs are neither drivers of complex interdependence, nor major stakeholders in international institutions optimized for mutual economic gain. NGOs are thus often relegated to a rather marginal status in both liberal-institutional and realist IR theory.

NGOs are, however, champions of ideas, agents for change, agenda-setters, policy advocates, and norm enforcers by applying pressure in public arenas and shaming transgressors (Keck and Sikkink 1998; Werker and Ahmed 2008; Hall and Lilyblad 2013). On the ground, NGOs implement programmes aspiring to plethoric visions regarding the way the world *ought to be*, thus often catalysing change from the bottom-up and lending the marginalized a voice. Given their evident impact and influences, ranging from global policy fora to remote local arenas, NGOs emerge as important actors in constructivist IR approaches seeking to understand global political dynamics. Indeed, constructivism is broadly considered among the IR traditions that lend most credence to the possibility of NGOs being relevant in World Politics (Ahmed and Potter 2006; Willetts 2011; DeMars and Dijkzeul 2015).

In essence, constructivism maintains that the world is of our own making (Onuf 2013 [1987]). The international system, including its institutions, actors, rules, authority loci, identities, or, collectively, the agents and structures that co-constitute this system, is *socially constructed* (ibid.).<sup>2</sup> Human social convention and institutions therefore do not arise from nature but are the result of complex human interaction and this requires the acceptance of a *social* ontology as a premise for further investigation (e.g. Onuf 2013 [1987]; Kratochwil and Ruggie 1986). Accepting this premise *ipso facto* entails that the world we inhabit, including the structure of the contemporary international system composed of nation-states suspended within it, is subject to change over time,

meaning it is historically contingent and dynamic (Adler 1998; Wendt 1999). If constructivism allows for the possibility of systemic change, then it is the actors constituting the system that are the potential drivers of change. From this perspective, NGOs may have an impact on the evolution of an international or global system that has been more or less anchored in a state-systemic structure dominated by nation-states at least since the post-World War II establishment of the United Nations (UN) system. While NGOs have largely risen to their current position in the post-war framework of a liberal international order, despite the vast spectrum of ideologies motivating NGO engagement, their common denominator appears to be advocating departure from the status quo. This leads us to a fundamental analytical question; namely: From the perspective of constructivist IR theory, are NGOs capable of contributing to systemic change in a seemingly static and constraining legal-rational system marked by the predominance of nation-states? While the aim here is certainly not to offer anything resembling a comprehensive answer, the question offers an instrumental impetus for a constructivist exploration of NGOs in IR.

To this end, I first review some of the tenets of constructivist IR theory by illustrating the social ontology that lies at the root of constructivist notions of systemic constitution. Based on this perspective, I then briefly revisit the constitution of prior systems in order to demonstrate how the institutionalization of the sovereign-territorial states-system not only led to the separation of “public” and “private” realms but paved the way for the very possibility of “non-governmental” organizations. Even though the emergence of NGOs can be traced at least to the late 18th century (Davies 2014), the third section emphasizes how systemic changes leading to the post-World War II system attributed a more clearly articulated status to NGOs that simultaneously recognized but also constrained the role of private, civil society actors. The fourth section evaluates how NGOs have acquired diverse discursive and operational roles, allowing them to play a meaningful role in contemporary World Politics. From the vantage of post-Cold War transnational and global governance discourses, NGOs appear to have been successful at leveraging moral authority to impact socialization processes within a global polity, thus opening possibilities for shaping incremental change. The fifth section analyzes critical constructivist perspectives, exposing some limitations inherent to “liberal” approaches. The final section therefore suggests that the communicative turn based on a logic of argumentation could offer a path to reconciling this cleavage through an “agonistic” constructivist synthesis. The chapter concludes by stating how constructivist theory and empirical NGO activities appear to be mutually reinforcing; however, constructivism must remain wary of *a priori* ideological and normative commitments to avoid obscuring the potential of its analytical lens.

## The constitution of the modern international system

In order to understand how NGOs can play a systemically relevant role from constructivist perspectives, we must particularly distinguish its meta-theoretical approach to World Politics from predominant neo-utilitarian traditions in IR, especially neoliberalism and neorealism. In essence, neo-utilitarian approaches share a rationalist worldview wherein constituent actors, i.e. sovereign nation-states, seek to meet material interests within a static, sovereign-territorial international system. The structure of this system is treated as constant and is reified as an ahistorical ontological given. Herein, room for autonomous manoeuvre by “units” comprising the system is constrained by rationalist interest calculations, meaning agency is limited by the choice-constraints imposed by the structural reality of the system, when assuming that all actors are essentially self-interested and aspire to “rational” behaviour. Unlike constructivist approaches, wherein interests are constituted in the process of actor organization and identity-formation, rationalist approaches thus impose analyst-imputed, preordained utility functions on actors, whose agency remains

constrained since actions are dictated by a game-theoretic logic of consequences. Neo-utilitarians therefore neglect how the system is constituted or even how their constitutive actors emerged – it is “endowed with the ontological status of being but not of becoming” (Ruggie 1998, 863). In other words, the states-system simply *is*, always *was*, and perpetually *will be*. From an *a fortiori* perspective, if neo-utilitarianism cannot even accede systemically relevant roles or agency for states, then the possibility of considering *non-state* actors, such as NGOs, playing such a role is a “non-starter” (Götz 2008). Accordingly, a radically different meta-theoretical framework is a precondition for an analytical approach that takes NGOs seriously.

The contours of such a framework emerged with the early social constructivist movement in the 1980s. Rather than an anarchical self-help system, constructivism opened the door to understanding the international system not only in terms of anarchy but also authority – a domain previously reserved for “domestic” or “comparative” politics (Onuf 2013 [1987]). Early constructivists particularly highlighted institutional “regimes” in which norms and rules enabled and constrained actors’ behaviour and choices (Kratochwil 1989). Rational or utilitarian courses of action thus only became intelligible within the structural context that agents within the system themselves created, *viz.* anarchy is what states make of it (Wendt 1992). As Ruggie put it, “a core constructivist research concern is what happens before the neo-utilitarian model kicks in” (1998, 867). Rather than theorizing how the system works at a given time (*in situ*), constructivists sought to explain how the system came to be in the first place and how it changes over time (*ex situ*).

Importantly for NGOs, the constructivist movement paved the way for revisiting the agency vs. structure debate in IR during a period when predominant theories adopted firm structuralist perspectives limiting the role of agency within a putatively static system. Borrowing significantly from social theory, particularly Giddens’s structuration theory (Onuf 2013 [1987]), social systems are never static but co-constituted by agency and structure. Herein, a recursive process takes place wherein agents produce structures (a combination of rules and resources) that are reproduced by agents conforming to those structures to produce a systemic whole (Giddens 1984). The resultant system, however, cannot exist independent of its constituent actors and is subject to change as, during the recursive process of systemic reproduction, agents deviate from or establish new norms and rules as structural determinants within which actions occur (*ibid.*). The system is therefore never static but subject to constant reproduction or change, even though this recursive and cyclical process is one of gradual transition and adaptation, in contrast to Marxism’s revolutionary systemic upheaval and critical approaches anaemic to “problem-solving”.

Structuration theory therefore accorded a “spiralling”, co-constitutive relationship between “micro” and “macro”, wherein neither emerges as a determinant of the other (Giddens 1984, 139). As Rosenau suggests, micro-level dynamics can have systemic repercussions because macro structures, such as the state or the international system, depend on citizens and organizations conforming to, or reproducing, the structures of the prevailing system (1992a). In other words, if structures were not reproduced due to large-scale non-compliance, the structures themselves are no longer viable (Giddens 1984; Onuf 2013 [1987]; Rosenau 1992a), meaning that citizens, civil society, NGOs, and other “non-state” actors could no longer be ignored when accounting for macro outcomes. However, just because the structures are *social* does not entail that change comes easily. Despite attributing a greater role to agency and micro-level processes, agents nevertheless remain constrained by the system within which they operate at any given time (Kratochwil 1986). While scope for agent-driven change therefore clearly exists, the magnitude and impact of micro-level agency nevertheless remain temporally and historically contingent on the prevailing macro-level systemic context. Accordingly, attempts at differentiating between micro, pluralist, and bottom-up *versus* macro, global, and top-down approaches within constructivist theory establish a false and oversimplified analytical dichotomy (*cf.* DeMars and Dijkzeul 2015).

## Sovereignty, collective identity, and public authority

The agency accorded to NGOs as private, non-state actors therefore depends on the contemporaneous structure of the international or global system within which they operate. As Davies portrays, NGOs or “transnational civil society” actors can be traced back at least to the late 18th century and the so-called “rise” of NGOs is but an intensification of practices by private actors predating the contemporary international system (2014). However, even if the constitution and practices of NGOs themselves have not changed significantly and can be traced back to the likes of the Hospitaller Order of the Knights of St. John (*ibid.*), or as they are known today, the Sovereign Military Order of Malta, the contextual arena within which these organizations exist has nevertheless altered dramatically over time. As most constructivists recognize, the contemporary modern, legal-rational states-system based on the nation-state as the central “unit” of political organization was by no means inevitable and should not be treated as constant (*cf.* Wendt 1999). Indeed, two alternative ideational bases of legitimation of social organization and political authority – ecclesiastical and sovereign-territorial identity – preceded the contemporary international system based on *national* collective identity (Hall 1999). This primacy of national collective identity for segmenting the political realm can also be traced to the late 18th century, corresponding with the transition from medieval feudalism to modern legal-rational “bourgeois” society (*ibid.*). Recursively, this process then has repercussions on the status and corresponding agency of NGOs themselves.

Prior to this, the modern distinction between “public” and “private” realms was not yet as crystallized. For example, before the 17th century, it would have been common for ecclesiastical authorities to simultaneously exercise temporal authority over territories under their jurisdiction (Wilson 2016). Moreover, “public” authority that princes wielded over fiefdoms could not be separated from their “private” estates, or houses, from whence they inherited the legitimacy to rule via ancestral lineage (*ibid.*). Religious military orders could also pretend to “sovereignty” absent claims to specific fixed and contiguous territories. There was no clear-cut legal distinction between “public” and “private” realms; rather, the two were deeply intertwined, often deeply bounded within traditional authority (Weber 1964), wherein offices were personally as opposed to perpetually lived and trade depended on personal modes of exchange (North, Wallis, and Weingast 2009). In retrospect, sovereignty was shared among what we would now view as “public” and “private” actors wielding authority diffused along various intersecting and overlapping levels and jurisdictions. This medieval system was pluralistic and heterogeneous with manifold institutional forms exercising authority over territorial or functional domains (Spruyt 1994).

While political scientists often hail the Peace of Westphalia as the origin of the sovereign states-system, this was rather a historical marker on a continuous path culminating in the disaggregation of “public” and “private” that had its origins in a religious schism (Caporaso 2000; Benton 2010). Though oversimplified, it is sufficient to note here that one of the key terms of resolving the Thirty Years War was the separation of religious dogma from the affairs of statecraft, or what has been coined as the doctrine of *raison d'état* under Cardinal Richelieu in Louis XIV's France (Hall 1999). This separation of ecclesiastical identity from statecraft established the predominance of “dynastic sovereignty”, permitting the appointment of princes to territories where the majority of subjects did not share confessional status with their sovereign (Hall 1999, 59; Wilson 2016). Subjects no longer identified with sovereigns based on religious denomination but became subjects of increasingly autonomous states vying for equality in an early-modern territorial-sovereign system whose “configuration remained contested” (Ruggie 1993, 163), setting the stage for a modern states-system based on consolidated public authority and territorial-sovereignty as the exclusive organizing principle (Kratochwil and Ruggie 1986; Ruggie 1993;



Caporaso 2000). The mutual and reciprocal recognition of sovereignty entailed the relegation of all non-territorial-sovereign actors, including private actors, to second-tier status in political affairs, particularly those *between* states and, increasingly now, also empires spanning the globe.

The predominance of this territorial-sovereign status quo was, however, soon eclipsed by a more accentuated form of political segmentation based on *national* collective identity that nevertheless retained territorial-sovereignty as a systemic container. Whereas peoples of distinct cultural, ethnic, and linguistic heritage could easily cohabitate under the sovereign rule of imperial, territorial-sovereign jurisdiction, beginning in the late 18th century, nationalism emerged as the predominant ideational force underpinning the modern legal-rational state and differentiating between “us” and “other”. Indeed, several important works have exposed how nationalism is a very recent and temporally/historically contingent social phenomenon (Anderson 1991; Hobsbawm 1990; Tilly 1994; Hall 1999). As Tilly suggests:

Only late in the eighteenth century did nationalism become a salient force in European politics . . . Two centuries or so ago, however, a narrower, newer, stronger form of nationalism became prominent in European politics: the claim that people who spoke for coherent nations – and they alone – had the right to rule sovereign states.

(1994, 133)

Accordingly, the sovereign realm now became associated with a distinct form of public authority uniquely reserved for nation-states.

### The creation of NGOs as a residual category

This modern nation-states system clearly differentiating between public and private spheres would come to full fruition with the end of World War II and the emergence of the post-war order (Ruggie 1982). It particularly enshrined the principle of “constitutive statehood” (see Erman 2013) into the international order by endowing this assembly of sovereign nation-states – and only them – with the authority to determine the rules for admission into the club. The states-system, like any social system, can only exist or function by virtue of constitutive rules that determine “what counts as” a certain type of social action, behaviour, or organization (Ruggie 1998; Searle 2005). The United Nations, establishing the framework of the post-war order, now concentrated its “collective intentionality” within an institutionalized forum that, via mutual recognition and reciprocity, assigned certain organized collectives the new status of sovereign-territorial statehood through speech acts (see Searle 2005), or what Claude referred to as the UN’s collective legitimation function (1966). Initially reserved for a select number of states, the decolonization process unfolding throughout the Cold War entailed that this framework would become global in scope with nominally independent, legal-rational nation-states now covering the world political map.

The systemic framework devised under the newly established United Nations Charter had important effects not only on the constitution of the post-war international order itself but also for NGOs specifically. Perhaps not coincidentally, it was during this time period that the neologism “non-governmental organization” appeared (Götz 2008, 237; Willetts 2011). While “voluntary”, “relief”, or “advocacy” organizations had existed for centuries (Götz 2008; Davies 2014), the development of a residual category to denote a form of organization clearly distinct from the now crystallized public, legal-rational sphere further underscores the broader contextual change within which such organizations operated. This new context, explicitly restricting recognition of public authority to national states, *ipso facto* changed the status of “non-governmental”, private actors that previously had more equal footing with “public” authorities.



More fundamentally, it also reaffirmed the legal distinction between public and private or state and non-state actors in the international arena. Particularly, by explicitly referencing “non-governmental organizations” in Article 71 of the United Nations Charter (United Nations 2011), the post-war framework had two simultaneous though perhaps paradoxical effects. On the one hand, it empowered NGOs by acceding a certain amount of agency within the state-systemic structure via recognition under “consultative status” (ibid.), thus formally recognizing and institutionalizing a category that had heretofore only existed in practice. However, it also had a highly constraining effect by limiting NGOs to “non-governmental” and thus second-tier status in a systemic framework clearly intended for public, territorial-sovereign state authorities representing distinct nations. The post-war order thus simultaneously enabled NGOs through recognition as legitimate participants but also constrained them by formally relegating their official function to consultative or observer status. In short, they were intended to remain marginal actors as part of a supporting cast on the world’s newly decorated stage.

## Global and transnational paradigms

From a constructivist perspective, the end of the Cold War presented yet another important systemic shift with significant implications for the actual (empirical) role of NGOs as well as epistemological approaches for understanding this role within a context of systemic change. Following decades of systemic constraint due to geostrategic stalemate and bipolar interstate rivalry in which NGOs appeared to be rather marginal players, the transitory period beginning in the mid-1980s appears to demonstrate burgeoning civil society and NGO activity (Werker and Ahmed 2008). The funding allocated to and implemented by NGOs during this period also began increasing dramatically (ibid., 75). Indeed, Rosenau (1992a) discussed the role of civil society and popular movements extensively in his treatment of the fall of Eastern European socialist regimes. Coincidentally, during this transitory period, the IR constructivist movement also began acquiring greater recognition. The combination of these systemic changes, along with emerging epistemological approaches for conceptualizing and analysing them, opened the door to new IR paradigms focusing on increasingly transnational and global processes. Herein, NGOs are not only seen as *constitutive* participants or observers of an international or global system but, rather, the amalgamation of their actions would conceivably permit them to, collectively, emerge as transformative agents.

Global governance is a particularly predominant paradigm in this regard. Though Rosenau did not specifically use the term, he is widely credited as its progenitor (Neumann and Sending 2014) by recognizing the significance of globalization’s effects on political, economic, and social changes, while seeing the system as a composite of interactions occurring at diverse sites and variegated geographical scales, from local to global. Global governance therefore emphasized how states are only part of a system constituted by diverse actors exercising various forms of authority within an increasingly global system (Rosenau 1992b; Gordenker and Weiss 1995). While the approach is not constructivist *per se*, it nevertheless acquired a significant number of constructivist adherents subscribing to notions of a polyarchic and polycentric system, wherein states were only a part of the governance edifice (Friedrichs 2001; Scholte 2007). In short, global governance (re-)opened the doors to private sources of authority, which coincided well with a constructivist research agenda focusing on rules, norm diffusion, socialization, legitimacy, identities, etc.

The type of authority exercised by NGOs within the global governance framework is generally understood as moral authority, which Hall and Biersteker (2002) conceptually developed as part of a tripartite typology of private authority. Such authority, unlike territorial-sovereign states’ public authority, does not stem from coercive sources associated with a legitimate monopoly of violence. Rather, moral authority could be acquired from: (1) Agenda-setting, referring

to the ability of NGOs to raise important issues in international arenas, (2) the authority of authorship (expertise) or epistemic authority, and/or (3) claims to moral transcendence (Hall and Biersteker 2002; Hall and Lilyblad 2013). In other words, consistent with Finnemore and Barnett's (2004) analytical distinction between being "in" authority vs. being "an" authority, the authority exercised by NGOs does not derive from duly-constituted plenary authority over a territorial domain. Rather, it stems from organizations' expertise and recognition as *an* authority within issue-specific or functional domains where private actors either acquired specific knowledge or possess moral claims subjectively recognized as valid or legitimate by others (Hall and Lilyblad 2013). Seen from the power matrix developed by Barnett and Duvall (2005), despite not having recourse to "compulsory power" via coercive or other forms of direct leverage, NGOs appear to exercise "productive power" (deriving from systems of knowledge and discursive practices) and, to a lesser extent, "structural power" (resource-based capacities and advantages). As discussed below, NGOs also exercise "institutional power" when influencing actors endowed with leverage in international organizations.

The notion of private authority also accommodated a greater role and recognition for NGOs gaining legitimacy as purposive agents in an increasingly pluralistic *global* arena. Viewing global governance as a complex mosaic of actors, institutions, and processes, Gordenker and Weiss (1995) see NGOs as not only influencing policy but indeed contributing to systemic and institutional changes, particularly with regards to the UN system. They especially point to the operational and education/advocacy roles allowing NGOs to help shape organizational, governance, strategic, and output dimensions of World Politics (*ibid.*, 384). This suggests that, at a minimum, the recognition of NGOs as viable participants in international policy discourses and as cooperative actors alongside IGOs in operational arenas in itself already constitutes fundamental changes in a system previously considered exclusive to states. Taking this logic further, when NGOs begin influencing identities and interests of other actors through socialization processes, then the system becomes vulnerable to reflecting the changes of its constitutive actors and the institutions they jointly establish.

Analytically distinct from global governance, transnationalism presents a further approach closely aligned with constructivist thought. In particular, Keck and Sikkink (1998), Risse-Kappen (1995), and others (see e.g. Risse-Kappen, Sikkink, and Ropp 1999) emphasized the ways in which non-state actors organize themselves in pursuit of common values and shared principles across nation-state borders. Herein, transnationalism offers a conduit for actors to share information and resources to pressure states into conforming to norms and rules, thus shaping identities and/or influencing the process of defining legitimate objectives and interests of states. From this vantage, NGOs are particularly influential within domestic, regional, and international policy levels and arenas by establishing advocacy networks that transcend the state-systemic institutional framework by reaching beyond the statist boundaries in which a specific organization may be located (Keck and Sikkink 1998). For example, Keck and Sikkink's (1998) "boomerang model" emphasizes how NGOs could leverage their influence on states that violate domestic or international norms by applying pressure on other states and IGOs to exact norm-conforming behaviour and corresponding policy changes. The tactics that transnational advocacy networks (TANs) use to this end include information, symbolic, leverage, and accountability politics (*ibid.*), which can have influential impacts on the process of agenda-setting, discourses at state, regional, and international levels, institutional procedures, policy change among "target actors", and state behaviour. By building transnational networks and alliances, NGOs can directly pressure states through public shaming for, say, human rights violations or indirectly by leveraging the institutional power vested in international public fora such as the UN system, thus rendering them simultaneously "domestic" and "international" actors.

The transnational approach also manifests itself in discourses of (liberal) norm diffusion. Herein, the emphasis on transnationalism illustrates how universal human rights regimes are diffused within states through NGO-led shaming, advocacy, and resultant public pressure vis-à-vis autocratic regimes and incoherent practices among states (Risse-Kappen, Sikink, and Ropp 1999). Accordingly, such approaches emphasized ways in which NGOs act as agents of transnational norm diffusion and identity-formation. Departing from the rationalist logic of consequences, this logic of appropriateness purportedly holds states and intergovernmental organizations accountable by pointing to transgressions of international normative and legal frameworks as well as promoting voluntary adherence to shared principles and ideas. NGOs thus emerge as norm entrepreneurs and knowledge brokers.

Venturing beyond the transnational approach, still others saw a reconstruction of World Politics through the emergence of global civil society (Lipschutz 1992; Keane 2003). An early proponent of such an approach, Ronnie Lipschutz (1992), declared that the increasingly global networks of non-state actors were forming heteronomous imagined communities along issue-specific functional areas that crossed state boundaries. According to Lipschutz, as state sovereignty continued to disperse “upwards” to supranational levels and “downwards” to subnational areas, the global political arena was carving out new non-territorial political spaces (*ibid.*). This conscious association of actors across nation-state borders could then “reconstruct, re-imagine and re-map world politics . . . in a way that had not been the case since the medieval period” (*ibid.*, 391). These associations, furthermore, were not necessarily formally constituted groups but rather epistemic communities forming a “conscious association of actors, in physically separated locations, who link themselves together in networks for particular political and social purposes” in areas such as the environment, development, and human rights, thus establishing bottom-up challenges to the nation-state system (*ibid.*, 393).

This conceptualization of global civil society also opened the door to notions of a democratization of World Politics, wherein non-state actors could become more directly involved as emancipated stakeholders in collective decision-making. Scholte (2007, 2011) is a particular advocate of this line of reasoning, seeing global civil society as a means towards a more democratic global governance edifice held accountable by non-governmental organizations monitoring policy discourses. The pluralization of World Politics was therefore increasingly seen as a challenge to the states-system in a post-Cold War historical epoch, giving rise to speculation on the possible structure of a non-state-centric, non-territorial future world order during this “restarting of history”, based on civil society as an alternative form of collective identity (Lipschutz 1992, 398).

### **Critical perspectives of systemic collusion**

These transnational networks or governance structures putatively pluralizing and democratizing global governance, however, have also been subject to critical constructivist perspectives suggesting that NGOs’ use of rhetorical resources, especially moral claims, is prone to espousing liberal perspectives, not to mention harbouring potential biases. Indeed, many of the aforementioned approaches only saw norms and rules and the actors upholding them as normatively “good”, while neglecting the “bad” (Adler 1998, 336; Lynch 2008). Good and bad can have multiple meanings in this sense. It can refer to the different actor types (i.e. agents) that advocate, implement, monitor, and/or enforce certain norms (e.g. states, NGOs, MNCs, criminal organizations, etc.) but can also refer to the norms and rules (i.e. structures) themselves, which can establish incentives for behaviour resulting in suboptimal outcomes, inefficiencies, or even outright harm. Even in cases where motives and principles are well intentioned, the outcomes and effects can be counterproductive or have adverse consequences in relation to objectives of

certain stakeholders, *viz.* Weberian differentiation between an ethic of moral conviction resulting in a deontological logic of appropriateness vs. an ethic of responsibility resulting in a logic of consequences. Nevertheless, the constructivist camp appears to have been prone to assuming a well-intentioned moral high ground and benevolence on the part of NGOs' principle-motivated behaviour and agency based on underlying logics of appropriateness.

This has been both a cause and consequence of a conflation between the liberal ideology espoused by some constructivist scholars and their social constructivist epistemic frameworks or methodologies. This is particularly evident in constructivist analyses focusing on norms and, supposedly, universal principles in international or global as well as local arenas. Such international norm paradigms are often locally reproduced by international NGOs socializing or "grafting" certain exogenous norms within non-liberal endogenous contexts, thus generating questions such as "whose norms matter?" (Acharya 2004) and "whose progress, whose morals?" (Erskine 2012). The emphasis on NGOs as transnational actors, in particular, remains closely aligned with the idealism of secular liberal universalism and cosmopolitan norms and principles claiming *a priori* universal applicability and legitimacy, thus emphasizing a transcendent moral and ethical status supposedly valid regardless of social, cultural, and historical context. Herein, global processes and institutions derive from a macro-level paradigm associated with *internationalized* Western norms diffusing institutional frameworks for states and markets, while sustaining the proliferation of socio-cultural normative frameworks, such as human rights (Finnemore 1996). Acharya refers to such diffusion of globalized norms as "moral cosmopolitanism", which "ignores the expansive appeal of 'norms that are deeply rooted in other types of social entities – regional, national, and subnational groups' . . . [and] view[s] norm diffusion as teaching by transnational agents, thereby downplaying the agency role of local actors" (2004, 242). Furthermore, while the means that NGOs employ from the perspective of TANs are similar to the conceptualization of moral authority, unlike global governance discourses, the transnational perspective does not appear to allocate authority to NGOs through which they become systemically relevant and emancipated actors. Rather, NGOs remain subjugated to a state-systemic ontology wherein their role is generally confined to influencing and shaping actions of more traditional operators of the states-system.

Others, meanwhile, have sought to expose the supposedly "democratizing" and "pluralizing" effects of NGO and civil society involvement in global and transnational governance processes. As Bartelson (2013) suggests, NGO claims to legitimacy within global civil society often derive from functionally differentiated, issue-specific groups claiming authority over such issue domains in the absence of an actual *global demos*. Precisely because of the absence of an underlying *demos*, or bounded collective, capable of bestowing legitimacy, NGOs expose themselves to accusations of usurping authority (*ibid.*). The self-appointed nature inherent to their missions begs the question whether their activities in fact reflect public or more narrowly defined private interests of like-minded constituencies wielding resources to promote their cause. Similarly, in contrast to the pluralistic transnational and global governance approaches above, NGOs and civil society do not simply occupy governance functions of states in the form of zero-sum competition but (inadvertently or not) emerge as transmitters and agents of state power and authority (Neumann and Sending 2014). This form of alignment with state sovereignty and authority is what Neumann and Sending refer to as liberal governmentality, wherein NGOs act as intermediaries of government rationality and therefore reinforce, rather than contest, the liberal state-systemic order (*ibid.*). Lipschutz (2008, 2013) appears to also have backtracked from proclaiming the near-death of the state as the predominant actor in the global arena at the hands of global civil society. Instead, his more recent writings position NGOs as actors reinforcing a liberal hegemony through "epistemic violence" that merely promotes a "neo-liberal" status quo as handmaidens of the state (Lipschutz 2013).

Though deriving from different ideological perspectives, this approach would ultimately be consistent with notions of NGO governance being little more than privatization and outsourcing of state functions by other means. This is consistent with Risse's view that "nonhierarchical modes of steering and including non-state actors in governance complement rather than substitute for regulatory activities by national governments or supranational institutions" (2011, 18). These notions appear to be consistent with the fact that many NGOs derive substantial funding for their operational activities from states, who thus either directly delegate their regulatory or social service provision activities to NGOs via direct mandates or co-opt NGOs through substantial co-financing that can be employed to steer NGO activities and priorities in directions that are then aligned with state interests and, by extension, the territorial-sovereign states-system of which they are part. Indeed, the consultative status that NGOs enjoy in international governmental fora also reinforces and legitimizes these institutions merely through civil society's participation. Hence, "private" NGO governance remains dependent on and subject to public hierarchical steering within the state's "shadow of hierarchy" (Risse 2011).

Rather than agents of systemic change, such accounts would emphasize NGOs' role as agents of systemic reproduction, preserving the architecture of the contemporary global system as well as their position within it – a position that, as we shall recall, derived from the very international state-systemic architecture of the post-World War II period. Indeed, this appears to be the great paradox pertaining to NGOs: If they were actually successful in achieving their stated aims, their *raison d'être* would disappear, which runs counter to notions of organizational survival, including interests and identities embedded within the organization's existence and its institutional perpetuation. As such, consistent with constructivist tenets, NGOs and the international system that led to their proliferation, including their collective identities and interests, appear to be co-constitutively produced and perpetuated, entailing that organizational survival would be closely linked to systemic persistence, rather than transformative and transcendental change. As such, global "governance" processes associated with "private authority" nevertheless rely on state-systemic "government" and its omnipresent "shadow of hierarchy".

### Communicative and agonistic syntheses?

However, these seemingly divergent ideological lenses should lead neither to premature abandonment of the possibility of a systemic role for NGOs nor of constructivist analytical insights to this effect. Indeed, constructivism is not a theory *per se* but a social ontological approach and should therefore not be ideologically charged in a prescriptive sense (Cowles 2003). Rather, as an analytical methodology, it places emphasis on the role of ideas, including morals and ethics, and their corresponding norms and rules socialized within and between bounded social communities. It should not, therefore, make claims regarding the content of such rules since it recognizes their social construction, which *ipso facto* entails a rejection of universal normative absolutes. In this regard, Lynch (2008) has called for a more reflexive approach to NGOs and civil society, particularly regarding ethics. Such reflexivity would suggest that the legitimacy of norms and rules that NGOs espouse, as well as corresponding commitments to their ethical and moral underpinnings, are necessarily subject to interpretation and contestation depending on the subjectivities and perceptions of those exposed to the norms, rules, regimes, institutions, and their effects.

Indeed, it is precisely herein where the communicative turn can shed more insight on several false dichotomies within constructivist theory, while potentially offering a synthesis between them. Following a Habermasian approach, the communicative turn sought to overcome the dialectic between the logics of consequences and appropriateness by following a logic of argumentation (Risse 2000; Albert, Kessler, and Stetter 2008). Herein, analysts realize

that the status of norms and rules, including those established by and governing NGOs, are not observer-independent and cannot be assumed to carry *a priori* moral validity. Rather, the validity of norms as a “social fact” remain observer-dependent and thus reliant on collective intentionality, constitutive rules, sociocultural backgrounds, intersubjective understandings, etc. (see Searle 2005). Rather than the normative absolutes within which NGOs often cloak their activities (while not denying that the actors genuinely believe in their own subjective worldviews), the moral and ethical considerations that substantiate or invalidate both endogenous and exogenous norms remain contingent on argumentative processes and reasoning within the various fora where they stand subject to debate. In other words, whether NGOs are trying to convince UN member states to adopt a new resolution or a local community to send girls to school, they are seeking to *persuade* target audiences to abandon pre-existing norms in favour of a new status quo by appealing to their subjectivities. Following a communicative logic of argumentation, NGOs can thus be seen as agents of reasoning and persuasion via *claims* to moral transcendence, without ascribing *a priori* moral or ethical validity to these claims or their corresponding actions.

In other words, the communicative approach elucidates the role of NGOs within the international system while avoiding some of the traps inherent to the false dichotomies between good vs. bad, liberal vs. critical, or appropriateness vs. consequences, thus establishing a less ideological constructivist lens. Within the context of constructivist theory, then, NGOs act as agents of plethoric ideas that resonate with their respective constituencies (donors), who provide financial and in-kind resources enabling their activities. Within various political arenas, they emerge as advocates and implementers bound by neither a logic of consequences (rationalism), nor a logic of appropriateness (generally associated with constructivism), but rather a logic of argumentation. Since civil society, and the NGOs operating within it, already presents a pluralistic ideological arena in and of itself, it would be overly simplistic to suggest that it is either a question of alignment or contestation with the state and the sovereign-territorial structure.

Accordingly, despite the fact that NGOs often coalesce and cooperate on issues of common interest, a more nuanced approach that does not treat civil society and NGOs as a unitary or singular block could be more appropriate. In this regard, Havercroft and Duvall (2017) refer to “agonistic constructivism” as a means of transcending the liberal-critical dialectic that appears to dichotomize constructivist scholarship, particularly in relation to NGOs and civil society in IR. This approach could be promising because it neither naively analyzes non-state actors as sources of “legitimacy-generating” contestation of state authority and/or discursive advocates of universalized dogmas, nor does it ignore the fundamental import of action, thus overcoming a constructivist tendency to limit analyses to discursive roles and speech acts (e.g. advocacy). Hereby, agonistic constructivism could also help overcome a key limitation of the communicative approach’s narrow focus on discourse and linguistic performativity by opening the door to incorporating (threats of) violence in constructivist analyses as a form of speech *act*, thus offering the means of signalling and communicating both intentions and resolve to others (ibid., 162). Herein, it is worth recalling that NGOs’ “violence deficit” in terms of engaging in legitimate forms of coercion remains a fundamental comparative disadvantage of NGOs relative to states, suggesting that NGOs can be participants and agents in governance processes but never the ultimate source of authority as principals in a sovereign-territorial system wherein violence remains, despite all efforts to tame it, an essential element of authority (Lilyblad 2014). As such, while agonistic constructivism is clearly in an embryonic phase, it offers an interesting avenue for further research regarding the agential role and limitations of NGOs in an evolving states-system.



## Conclusion

On the surface, constructivism and NGOs appear to be strong allies in the arena of IR theory. Constructivism offers an ontological framework conducive to understanding IR in terms of systemic change, especially the gradual distinction of public and private realms via the institutionalization of the sovereign-territorial state that provided the basis for the residual category of “non-governmental organization”. Moreover, this framework does not foreclose avenues by which private NGOs operating in the public sphere can emerge as agents of incremental structural changes that, over time, could agglomerate to systemic change. However, such a position must be nuanced with the caveat that social institutions are not necessarily susceptible to change by virtue of having a social origin since many interests and identities are heavily vested in institutional persistence. Epistemologically, constructivism – by virtue of its focus on language and discourse, its co-constitutive epistemology, and its structural approach – is also more conducive to the analysis of NGOs since it offers the tools necessary to analyze, understand, and explain the importance of NGO discourses and action in variegated political arenas, ranging from international fora to local domains. Reciprocally, NGOs also appear to vindicate constructivist tenets by empirically substantiating some core claims of constructivist theory. NGOs certainly have capacities to strongly influence outcomes through advocacy, agenda-setting, and monitoring based on epistemic resources and moral authority. As transnational networks and global actors, they shape identities, establish or reinforce norm paradigms, and generate knowledge on issues to alter policies. By looking at the world from the bottom-up to demonstrate how, in fact, authority can be exercised in numerous and diverse sites through NGOs in a polycentric and pluralistic world, NGOs thus further undermine notions of a static system exclusive to states.

Nevertheless, as more critical voices have pointed out, it is important not to overstate the extent to which NGOs have assumed governance roles and authority functions of the state since “private” NGOs remain subject to the “public” shadow of hierarchy. Nor would it be wise to overgeneralize the extent to which NGOs actually contest state governance but often emerge as participants in executing and implementing liberal international orthodoxies. Constructivism in this sense is a meta-theoretical instrument for understanding the way in which ideas impact the construction of social reality; however, the content of such ideas is not ideologically predetermined but remains subject to the very pluralism and diversity that the global NGO community itself represents.

Finally, heeding the objections of critical perspectives, an agonistic and communicative approach may ultimately offer a synthesis within the constructivist tradition. In this sense, while the proliferation of NGOs is a derivative made possible by the changing international state-systemic structure that, by opening spaces for participation, became conducive to private sources of authority, the very fact that NGOs are deeply intertwined with the system in terms of identities and interests suggests that they are also constrained by the structure of which they are a constitutive part. As such, radical systemic change could also undermine NGOs since their status is tied to institutional persistence of the system in which they arose. The paradoxical status quo suggests that systemic change, if it is to arise as a result of NGO agency, would be incremental rather than revolutionary – that is, if the clock has not struck midnight by then.

## Notes

- 1 For example, the Bill & Melinda Gates Foundation is the second-largest financial contributor to the World Health Organization, following the United States government (Elias, Voorhies, and Mundel 2018).
- 2 Unlike preceding approaches (see e.g. DeMars and Dijkzeul 2015), the purpose here is not an attempt at offering a taxonomy of constructivist thought, which has already been treated thoroughly by Ruggie (1998) and Adler (1998), among others.



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# The aesthetic politics of NGOs

*Holly Eva Ryan*

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## Introduction

Over the last 15 years, an increasing number of scholars working within the field of international politics have been *trespassing* across disciplinary confines, blurring epistemic boundaries and experimenting fruitfully with alternative methodologies and ‘ways of knowing’ the social world. Among these interdisciplinary excursions, a burgeoning body of scholarship on ‘aesthetic politics’ warrants particular attention for its endeavour to redraw the lines between the artistic and the political by exploring new ways of thinking, seeing, hearing and sensing the world around us. Aesthetic politics is about much more than art, or indeed the institutions, power matrices and actors that make up the ‘art world’. It is also about the distinct types of engagement and understanding that are fostered by artistic practice, image-making and the ways that we can use these as a springboard for re-thinking or even re-imagining the order of things in international politics. With this in mind, the pages that follow offer a review of some of the distinguishing features of a so-called ‘aesthetic turn’ in international politics before offering some arguments as to how insights and lessons drawn from this body of scholarship can help us to critically analyse and engage with the work of non-governmental organisations (NGOs), and in particular, the ways that NGOs use and reproduce images.

## Challenging prevailing wisdoms: ‘the aesthetic turn’ in IR

The discipline of International Relations (IR) was formalised in the early 20th century, a process hastened by the experience of total war and escalating violence, and compounded by the fragmentation of empires and emergence of new nation-states. Many of the earliest scholars in the tradition of IR were Western career diplomats or international lawyers trained in the arts of conflict, calculation and conciliation. Throughout the 20th century, the discipline of IR remained determinately ‘narrow’ both in its thematic focus on the ‘high politics’ of war and diplomacy between nation-states, and in terms of its epistemological basis. The dominant theories of Realism and Liberalism that emerged in the wake of the two world wars and a third ‘Cold War’ that was played out via a dangerous arms race between the US and USSR and a series of violent proxy conflicts in the Global South eventually became unified in their commitment to a paradigm that amalgamated influences from rationalism and positivism.

On the one hand, rationalists tend to place a great deal of emphasis on the ideas of progress, universality and truth. Each generation is able to advance beyond the previous one through the exercise of human reason and a gradual accumulation of knowledge, bringing them ever closer to an assumed truth. In pursuit of that goal, the human intellect can and must overcome the drives of emotion; scientific knowledge can and must overcome the temptation to custom and superstition. Positivism, on the other hand, describes approaches that privilege observation, measurement and prediction over and above other ways of ‘knowing’ and studying the social world. Positivists rely upon the notion that it is both possible to segment or separate out facts from values and for researchers to maintain an impartial and disinterested stance in relation to their object of study.

Things began to shift with the end of the Cold War as new issues and approaches started to extend up through the cracks of a broken paradigm that had failed to offer an adequate explanation (or prediction) of the decline and disintegration of the Soviet Union. Yet, the ‘narrowness’ of IR today ‘still manifests itself not only in its resistance to theories prefixed with “post-” but also in the rigid definitional boundaries of the appropriate subject of analysis by serious IR scholars’ (Moore and Shepherd 2010: 299), who have exercised a notable disdain for colleagues choosing to concern themselves with supposedly ‘secondary’ matters of gender, culture, identity or the work of non-state actors. Nonetheless, a great deal of innovative and ground-breaking work persists at the ever-widening margins of today’s discipline. And, around the turn of the millennium, a shift towards ‘the aesthetic’ signalled a new phase in the search for new tools, perspectives and ways of understanding periods and processes of change and stasis in world politics.

The word ‘aesthetics’ comes from the Greek term *aesthesis* which refers to sensory perception. The field of aesthetic inquiry in the Western tradition has until recent years been dominated by philosophers concerned with questions of beauty and taste in art. Philosophers have been keen to derive standards and principles for making proper aesthetic judgements, viewing the aesthetic as an autonomous realm of value effectively shut off from social concerns, moral considerations and/or power relations that are encountered in everyday life. In this view, which has among its forebears seminal works such as Kant’s *Critique of Judgement* and Schiller’s *On the Aesthetic Education of Man*, artworks are ‘purposive without a purpose’ (Kant cited in Belfiore and Bennett 2008: 178). The value of art is not tied to any prior function; it is to be appreciated for its own sake.

This ‘autonomist’ view (Carroll 1996, 2001; Belfiore and Bennett 2008) which tends to place an emphasis on the formal qualities of artworks, removing them from their temporal and social context, has increasingly been called into question in recent years. Challenges have been mounted both by aesthetic philosophers such as Noel Carroll (1996) who acknowledge multiple realms of value for the arts as well as by an increasing number of social scientists and art historians who have taken up an interest in the ways that images and sounds work over individuals and collectivities to elicit responses that have implications for social and political practice. Hence, where some scholars still use the term aesthetics to denote an ‘autonomist’ reading, others refer to the aesthetic as a field of knowledge through which power and resistance can operate (Rancière 2004; Panagia 2010; Bennett 2012). As Gareth White (2015) argues, these ‘heteronomous’ or ‘practical’ understandings and applications of aesthetics tend to underline the interconnection between art, image-making and the socio-political sphere, including the ways in which artistic expression, popular culture and embodied sensory encounters of various kinds interact with – even alter – the prevailing landscape of power and possibility.

It is this kind of more ‘practical’ understanding which underlies ‘the aesthetic turn’ in International Relations. As Moore and Shepherd (2010: 299) explain in the introduction to their special issue on aesthetics and global politics, ‘Approaching the study of IR with an aesthetic sensibility encourages scholars to pay analytical attention to affect rather than reason, judgement rather than fact, sensation rather than intellectualism’. In other words, it offers scholars

an opportunity to subvert the epistemological hierarchy in order to revisit and interrogate the oft-neglected effects of *emotion* and *representation* in world politics.

### **Emotion**

Few phenomena in world politics have been as central yet as underexplored as the feelings of attachment, pain, revulsion and hope that drive political allegiances, spur fragmentation and prompt action. Moving to fill this gap, aesthetic approaches to IR have concerned themselves with the sensory, leading to a revitalised interest in the role of affect and emotion in world politics. As Emma Hutchison (2016: 1) puts it:

Wars are fought and the ensuing emotional, traumatic memories help to constitute and divide societies and nations for centuries. Other forms of violence such as terrorism cause insufferable pain and trauma for victims, families and communities . . . trauma can also result from more incremental physical suffering such as poverty, famine and disease that causes long-term psychological damage. Such damage occurs at the individual level, when trauma is widespread, the damage is more far reaching as it stretches into the social landscape through which communities live out their lives and shape their politics.

Although the terms affect and emotion are sometimes used interchangeably, there are some important distinctions between them. Following Brian Massumi (1995), the term affect describes nonrationalised sensations or the corporeal, embodied quality of feeling which is both pre-discursive and communicable (Feigenbaum et al. 2013). The term emotion, by contrast, describes sensations or feelings that have been rationalised, checked against previous experiences and categorised accordingly as fear, love, anger, hate or trauma, for example. Distinguishing between affect and emotion allows scholars to illuminate how, over time, we develop linguistic categories in order to represent, pin down and make sense of our sensory encounters as well as why sometimes, some feelings ‘cannot be put into words’.

The work of Ty Solomon (2012) and Roland Bleiker (2009) both highlight how, at certain historical junctures, moments of crisis or transition, individuals and social groups may experience a gap or pause in comprehension which is brought on by the lack of adequate linguistic categories for describing and processing the phenomenon at hand. In these instances, non-verbal responses such as painting or musical composition can enable us to work through our feelings and express those sentiments that we cannot yet put words to. Taking artistic responses to 9/11 as a case in point, Bennett (2012: 5) argues that affect is the natural medium of aesthetics, helping us to understand more fully ‘what art and imagery *does* – what it *becomes* – in its very particular relationship to [political] events’.

In addition to these works, which are situated at the nexus between affect, artistic expression and international politics, are a number of scholarly contributions that angle in on specific emotional states and their effects or influences in world politics. Victoria Basham’s study of the everyday life of British soldiers, for example, reveals how a focus on the emotions of boredom and joy can help to illuminate the differentially gendered norms that govern the lives of male and female combatants (Basham 2015). Paul Saurette examines the politics of humiliation and counter-humiliation in a post-9/11 era, taking US Foreign Policy as a case in point (Saurette 2006). Meanwhile, James Brassett’s work examining the relationship between humour, cynicism and political practice argues that ‘[l]aughing at, subverting, or otherwise undermining aspects of social existence can be seen as a vernacular form of resistance’ that can both shore up and

legitimate existing political structures, or work to encourage re-vision and/or re-imagination (Brassett 2016). Whether focused on the more slippery concept of affect or on that of specific, named emotions, what all of these contributors tend to have in common is a shared sense of how sensory and embodied experiences matter for world politics, representing sources and/or sites of power to which scholars should be attuned.

## **Representation**

In 1988, the North American political theorist Murray Edelman published *Constructing the Political Spectacle*, a book which sought to critically investigate the continual reconstruction of socio-political issues through news reporting and the corresponding creation of images or ‘spectacles’ that come to form the basis of political action and historical knowledge. In Edelman’s work, political spectacles are described in terms of discursive and symbolic structures; interpretations of interpretations that ‘play their parts . . . within the context of the hopes and the fears of specific social situations’ (Edelman 1996: 89). They ‘reinforce, condense, and reify perceptions, beliefs, and feelings that grow out of such social relations as dominance and dependency, alliance and hostility, anxiety about threats, or anticipation of future well-being’ (ibid.). In so doing, political spectacles, as mediated by news corporations, shrink many different worlds of possibility into one, providing the public with a singular vision of who and what is right or salient at any given moment. Edelman’s work is therefore predominantly concerned with processes of representation and the ways that they can drive or reinforce particular political agendas by eliciting an emotional response and advocating a particular course of action. The term representation refers here to the description, framing or portrayal of someone or something *in a particular way*. Or, as Gillian Rose (2016) puts it, representations are at source ‘made meanings’ that structure the ways that we behave in our everyday lives.

Within IR, the question of representation has been taken up most ardently in Roland Bleiker’s seminal work, *Aesthetics and World Politics*. In this text, Bleiker makes a distinction between ‘mimetic’ and ‘aesthetic’ approaches to the study of world politics. He describes mimetic views as those which seek to represent politics as realistically and authentically as possible, aiming to capture world politics as-it-really-is. He observes that mimetic views have dominated IR theory and describes realism as the mimetic approach par excellence in view of its ambition to situate itself as a mirror onto the recurrent brutality, conflict and insecurity of international politics. Against these so-called mimetic approaches, Bleiker promotes a more nuanced aesthetic vision or approach. Aesthetic vision entails a higher level of consciousness and sensitivity to what one sees, including an alertness to intuitions and alternative forms of knowing that are generated through processes of creation or experimentation (Greene 1978, 1995; Barone and Eisner 2012). Moreover, it entails looking closely at the details of an event or process but also examining it within its context, looking ‘for patterns within disorder, within disorder, for unity beneath superficial disruption and for disruption beneath superficial unity’ (Barone and Eisner 2012: 37).

At a more basic level, aesthetic approaches acknowledge that all IR theories essentially constitute incomplete representations of the international. They assume that there is always a gap between a form of representation and what is represented therewith. But, rather than ignoring or seeking to narrow this gap, as mimetic approaches do, an aesthetic vision recognises that the inevitable difference between the represented and its representation is the very location of politics, where power operates to shut down or amplify particular ways of seeing things. Bleiker (2009) claims that some of the most significant theoretical and practical insights



into world politics have emerged not from endeavours that ignore representation, but from those that explore how representative practices themselves have come to constitute and shape political outcomes. Here, he suggests that IR scholars might take a cue from artists and makers, whose aesthetic contribution emerges not from attempting to ever more authentically depict the world (and failing), but from engaging with the process and politics of representation itself. It is with this in mind that we can now turn our attention to the image-making practices of NGOs.

## Emotion and representation in the image-making practices of NGOs

Human subject photography has long played an extremely important part in crafting and shaping individual and public understanding of development issues. Half a century before Direct Response Television Advertising (DRTV), non-profits were using photographic stills and portraits to document and transmit information, as well as to issue calls for action on poverty and disaster relief. In 1942, the Oxford Committee for Famine Relief (now Oxfam) was established as a private, voluntary committee to assist those affected by the Greek famine. The Committee's very first appeal featured a photograph of a troubled Greek mother and a bright-eyed but dishevelled child with the caption: 'Oxford's effort for the starving of our ally'. The appeal raised £10,700 in donations (Wynne Jones 2012), but it also set a powerful strategic precedent for charitable interventions to follow: namely, the photographic representation of aid beneficiaries as 'victims', in need of assistance.

A series of interdisciplinary studies from psychology, visual sociology and linguistics have convincingly argued that NGOs and fundraising campaigns derive their persuasive appeal from a complex interplay of verbal text, typographic features and images. Lipovsky (2016: 3), for example, analyses photographs from a corpus of fundraising letters and highlights the significant role played by photographic images in 'orienting potential donors attitudinally towards the text that follows', helping them to overcome futility thinking by making the beneficiary visible (or, 'real') and thereby predisposing individuals to make a donation. Photographs have been a powerful tool for NGOs precisely because they are 'assumed to be a factual record of the field' (McEwan 2006: 232). Readily interpreted as incontrovertible snapshots of reality by the public, photographs have the power to identify, isolate and amplify particular events 'on the ground' as well as individual stories of suffering.

However, Oliver (2006: 18) echoes the late Susan Sontag in her claim that, far from being a transparent documentary means, photography 'is a medium freighted with a problematic power and responsibility'. We derive our knowledge of other peoples and places from what we see on our screens and devices. Yet, just like other forms of media, photographs are always subject to processes of selection, encoding and careful composition or arrangement. The photographic representations that are commissioned and disseminated by NGOs thus shape our perceptions in important ways but only ever offer us a situated point of view. They function as partial depictions, composed to reinforce a particular narrative and elicit a specific intellectual or emotional response from an audience, namely a *compassionate* one.

Martha Nussbaum writes that compassion is 'a painful emotion occasioned by the awareness of another person's undeserved misfortune' (Nussbaum cited by Höijer 2004: 514). Scholars including Kogut and Ritov (2005); Slovic (2007); and Small and Simonsohn (2007) have published studies showing in various ways that compassion is absolutely integral to the success of charitable campaigning, and photographs have been proven to play an important role in prompting and reinforcing a compassionate reaction in target audiences. Static representations

of distant victims of famine, civil war, genocide and other forms of violence carried out against civilian populations give a discernibly human face to suffering; common compositional practices such as a subject gazing directly into the camera tend to draw the viewer in and call on her/him to act, albeit via non-verbal signals. Images conveying illness, pain and sadness have been shown to evoke particularly strong compassion responses in viewers (Mercadillo et al. 2007), leading to a proliferation of stylised photographs of 'the global poor', commissioned and disseminated by NGOs for campaign purposes.

This approach to fundraising has had some unintended effects. Susan Sontag's work suggests that contrary to the aims of NGOs, our capacity to respond 'with emotional freshness and ethical pertinence is being eroded' by the relentless diffusion of stylised images of pain and suffering in our globalised world (Sontag 1977: 97). Similarly, Höjjer (2004: 529) notes a rise in something known as 'compassion fatigue'. This is when the large number of images of human suffering and 'the repetitive and stereotyped character of the depictions . . . tire the audience out'. Compassion fatigue used to be a problem that was most commonly seen among healthcare professionals. Because their work puts them in situations where they commonly see or hear about ongoing and sometimes unspeakable suffering, it is not unusual to see some of our most skilled, caring and compassionate 'helpers' fall victim to compassion fatigue. However, in today's world, where every tragedy is instantly broadcast live in living colour directly into our living rooms (TV), laps (laptop) and/or hands (smartphone), compassion fatigue is no longer unique to the medical profession. It is, rather, becoming a widespread social phenomenon linked to globalisation processes: 'we are inundated with graphic images of the unimaginable suffering of millions. We can fathom the suffering of a few, but a million becomes a statistic that numbs us' (ibid.).

The relationship between photographic images and compassion fatigue is taken up forcefully in Susan Moeller's book, *The Four Horsemen*. This work analyses four sets of case studies, organised around the crises represented by the Four Horsemen of the Apocalypse – pestilence, famine, death/assassination and war/genocide. Moeller observes,

We have all been cued by that famous series of ads by Save the Children. You can help this child or you can turn the page. The first time a reader sees the advertisement he is arrested by guilt. He may come close to actually sending money to the organization. The second time the reader sees the ad he may linger over the photograph, read the short paragraphs of copy and only then turn the page. The third time the reader sees the ad he typically turns the page without hesitation. The fourth time the reader sees the ad he may pause again over the photo and text, not to wallow in guilt, but to acknowledge with cynicism how the advertisement is crafted to manipulate readers like him – even if it is in a 'good' cause . . . Most media consumers eventually get to the point where they turn the page.

(Moeller 1999: 9)

What starts as compassion soon becomes complacency.

Moreover, in recent years scholars from the fields of politics, aesthetics and post-colonial studies have engaged variously with the ethical and practical challenges of representing aid recipients. Some authors have criticised the voyeuristic and dehumanising potentials of photographs which capture moments of grief, pain and suffering that would ordinarily be classed as private affairs. They question whether the quest for ongoing financial support through such portrayals actually undermines respect for human dignity (see Hutnyk 2004; Oliver 2006; Parvez 2011; Dolinar and Sitar 2013).

Prominent African journalists have also spoken out against a perceived ‘white saviour industrial complex’ (Cole 2012) and the ‘othering’ conventions used in ‘Western’ NGOs depictions of the continent and its peoples (Wainaina 2005). In a now well-known essay entitled ‘How to write about Africa’, Binyavanga Wainaina employed a scathing sarcasm to scorn the stereotypes which tend to dominate Western media imaginaries of the continent, robbing African people(s) of their diversity and agency:

Never have a picture of a well-adjusted African on the cover of your book, or in it, unless that African has won the Nobel Prize. An AK-47, prominent ribs, naked breasts – use these. If you must include an African, make sure you get one in Masai or Zulu or Dogon dress.

In your text, treat Africa as if it were one country. It is hot and dusty with rolling grasslands and huge herds of animals and tall, thin people who are starving. Or it is hot and steamy with very short people who eat primates. Don’t get bogged down with precise descriptions. Africa is big: fifty-four countries, 900 million people who are too busy starving and dying and warring and emigrating to read your book. The continent is full of deserts, jungles, highlands, savannahs, and many other things, but your reader doesn’t care about all that, so keep your descriptions romantic and evocative and unparticular.

(Wainaina 2005: n.p.)

### ***Reflexivity and change within the NGO sector***

Amid this extremely rich flurry of critical activity, few have paused to explore how aid sector organisations have themselves responded to the challenges put to them. This response has taken two forms – one at the macro level of governance and one at the micro level of NGO practice. Firstly, following the global public response engendered by the Ethiopian Famine of the mid-1980s, a number of significant steps have been taken transnationally to initiate dialogue and action around the problems of representation. In 1985, the United Nations Food and Agriculture Organisation, select European and African NGOs came together for the ‘Image of Africa’ project which intended to look critically at the longer-term effects of the BBC/Live Aid campaign on the possibilities for self-reliant development in Africa. Later, in 1989, the European NGO Confederation for Relief and Development adopted its first ‘Code of Conduct on Images and Messages relating to the Third World’. The Canadian Council for International Cooperation, and The Irish Association of Non-Governmental Development Organisations followed suit in 1995 and 2006 respectively, with codes relating to the ethics and truthfulness of communications in fundraising. These steps towards constructing a more ethical regime remain largely unexplored in academic writing to date, despite a growing body of literature on global governance, norms and institutions in other issue areas (see Harman and Williams 2013; Wilkinson and Weiss 2014). This is a notable gap since regional, non-state cooperation in the areas of ethics and representation invites important and novel questions relating to the *governability* of images and emotion.

Secondly, there is considerable evidence to suggest that the last three decades have given rise to self-conscious attempts by NGOs to break the stereotype of passivity and victimhood magnified and fomented by earlier campaigns. Within academia, the work of Nandita Dogra stands out as a rare and systematic attempt to trace and explain the shifting strategic priorities of NGOs with regards to the depiction of aid recipients. Dogra illuminates an increasing number of organisations that have consciously moved away from representative practices that amplify need and suffering to more positive campaigning that instead offers images of aid recipients as

self-reliant and empowered agents (Dogra 2007, 2012). In this sense, comments from Oxfam's former Head of Stories, Film and Photography, Kate Pattison, are revealing:

It's [now about] presenting people in their true light as agents of their own destiny . . . there are ways of doing it that move away from shocking sensationalism and show people's humanity and strength.

(Pattison 2012)

Rather than elicit compassion, these images aim to galvanise a sense of hope in their audiences. And yet, in the same ways that compassion can quickly fade into complacency, experience and research both tell us that unfulfilled hopes can all too quickly turn to dismay and consternation. C. Richard Snyder and colleagues offer one of the most comprehensive explorations of hope in scholarship to date, defining it in terms of goals, pathways and agency that drive emotional response. Snyder (2000) highlights that when pathways to an individual's goals and ambitions – such as her/his drive to assist another – are blocked, or when desired outcomes fail to materialise, hope generally gives way to feelings of disappointment, which may lead to rage, despair and finally, apathy.

Notably, the transition from 'passive' to 'active' tropes among some of the larger NGOs and aid organisations has been paralleled by an equally interesting and somewhat divergent move towards auto-documentary by smaller and newer organisations such as *Lensational*. *Lensational* describes itself as a global social enterprise committed to sharing women's stories through the transformative power of photography and videography. Founded in 2013, *Lensational* has worked with over 600 women across the developing world, furnishing them with second-hand cameras and training, with the objective that they can document their own lived realities and find a form of expression and voice by developing their own photographic practice.

*Lensational's* approach to photography differs from the sector mainstream in that it is guided more by concerns founded in practical aesthetics than in marketing. In other words, the organisation works with a wider and more open-ended understanding of *what the photograph is*; and *what it can do* in the lives and livelihoods of others. Recognising the multilayered nature of the photograph and the irreducible complexity of interplay between emotion and creativity, power and composition, *Lensational* attempts to put women of the Global South in the driver's seat and in essence, 'see where it goes'. As they highlight:

There are so many layers to a photograph: the ability to share a story and to evoke emotions; the power to expand the viewer's field of vision; the universal language it speaks; and most importantly, the ability to create new meanings. For each photograph there is a story behind, one within, and one in front of the picture. And this story continues to evolve each time the photograph is placed in a new context . . .

We also believe in the therapeutic power of photography. As many artistic expressions, photography enables people to cope with their hardships in a way they might not be able to express otherwise. Our community of photography students is continuously growing, and we believe in the power of inspiration by the work and stories of like-minded women, of women who share similar experiences, and who achieved to step out of their daily routines. And of course it's fun! Posing in front of the camera, immortalising happy moments, reliving memories through watching pictures – the positive sentiments related to photography are as strong as its critical dimension.

(*Lensational* 2018)

## Conclusion

This chapter began with a review of the extant literature on the so-called ‘aesthetic turn’ in International Relations. It situated scholars of ‘aesthetic politics’ as part of a wider post-positivist and reflexivist counter-movement which aims to widen the discipline of IR by exploring new and alternative actors and terrains of political power. The chapter went on to identify some of the ways that lessons drawn from this body of scholarship can help us to critically analyse and engage with the visual work of non-governmental organisations (NGOs). Homing in on the issues of emotion and representation in particular, it was possible to dissect and discuss some of the major criticisms, challenges and developments that NGOs have faced in the area of marketing and campaigning in recent decades. It highlighted that whilst a recent turn towards ‘positive messaging’ demonstrates sectoral responsiveness, learning and development, the endeavour to modulate and mainstream ‘hope’ in fact presents rather similar challenges to that of modulating ‘sympathy’. The chapter identifies an interesting and potentially more fruitful development in the turn to auto-documentation as practised by smaller and more localised NGOs, such as *Lensational*. Taking a wider view of the social and political work that photography can do, *Lensational’s* methodology paves the way for a more agent-led practice in the area of campaigning as well as a more open-ended enquiry into the role of photography in the wider sphere of development programming.

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# NGOs and social movement theory

*Clare Saunders and Silke Roth*

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## Introduction

NGOs are, quite literally, *everywhere*, even in authoritarian regimes (Willets 2002). As we write and you read, they are engaging in advocacy, the provision of expertise and delivery of services and contracts, and sometimes they join coalitions in protest events. They are affecting social, political and cultural institutions and/or delivering services at multiple scales on almost every conceivable issue. According to the UN, an NGO is almost any private organisation that is independent from government, does not challenge government for power (i.e. is not a political party), and is non-profit-making and non-criminal/non-violent. NGOs therefore include interest groups, pressure groups, lobby groups, private organisations, voluntary organisations and umbrella groups for political parties (that do not themselves seek office) and some social movement organisations (SMOs).

Thus, there is an overlap between SMOs and NGOs. Some SMOs are NGOs, some NGOs are SMOs but not all SMOs are NGOs (and vice versa). Moreover, the relationship between NGOs and SMOs raises important questions concerning different forms of activism, in particular ‘insider’ activism and ‘outsider’ activism. We consider NGOs as organisations which are primarily engaged in service provision and advocacy and to a lesser extent in protest activities. NGOs tend to be involved in ‘insider activism’. They might obtain government funding and are thus accountable to donors which might lead to de-radicalisation and co-optation which we will discuss below (e.g. Alejandro 2006). NGOs can be both donors as well as recipients of funding from governments and intergovernmental organisations. In the global context, Northern NGOs can take on the role of donors and may influence the development of Southern SMOs. This raises all manner of questions about the legitimacy of northern NGOs to interfere in Southern affairs. Rather than conceptualising this as a ‘North–South’ (or ‘West–East’) distinction, it is important to consider questions of accountability and donor–recipient relations. Lewis (1998, 2015) has repeatedly pointed out that it is problematic to overlook the commonalities of international and national third-sector organisations. NGOs and other SMOs exist both in the Global North and in the Global South. Operational non-governmental organisations that receive substantial government contracts – whether they are active domestically or internationally – have less freedom to engage in protest for social change; nevertheless, they



are able to engage in advocacy work. Examples include Oxfam, which engages in both operational and campaigning activity, and Medecins Sans Frontieres (Doctors Without Borders), a humanitarian organisation providing medical emergency relief while at the same time publicising human rights violations.

In this chapter we focus on four key social movement theories that are useful for understanding the emergence and development of NGOs: resource mobilisation, framing theory, political opportunity structures/political processes and 'new' social movement theory/identity-oriented approaches. These four significant bodies of social movement theory were developed in the 1970s and 1980s and continue to be useful, respectively, for explaining the *how*, *when*, *where*, *who* and *why* of NGOs. Since the 1990s, social movement research has increasingly focused on transnational activism and paid more attention to NGOs. Furthermore, digital communication has transformed NGOs, social movements and social movement scholarship. We discuss some of these developments within our 'how, when, where, who and why' framework.

We will argue that resource mobilisation and related bodies of theory have utility in understanding *how* NGOs emerge and develop. This perspective considers resources of central importance for they determine whether and how an NGO will develop. It focuses particularly on rationality, organisational structures and professionalisation. Resource mobilisation has synergies to the concept of NGOisation.

Political opportunity structure (POS)/political process theory tells us about *when* (under which political conditions) and *where* NGOs form in response to the political environment. POS approaches are therefore particularly useful for comparative perspectives on the prevalence of NGOs. POS can be studied at the macro-level, with respect to party systems, conventions of media reporting or access as well as to the availability of funding from international donors. Structural funds, whether in the context of the European Union or other regional bodies or overseas development assistance, can provide incentives to form or transform existing grassroots organisations into NGOs which then become accountable to their donors. POS can also be studied at the level of the global governance networks, as well as at the meso (organisational) level. Both perspectives are important. The former matters because some NGOs operate in a transnational context. The latter is important because opportunities for NGOs to emerge, develop and influence vary even within a constant opportunity structure according to the aims and objectives, status and resources of the NGO.

New social movement, identity-oriented and framing approaches can help us understand *why* NGOs emerge and *why* individuals come to identify with others to support a social or political cause that becomes encapsulated in an NGO. We use framing theory to show how issues are socially constructed by NGOs, but also to illustrate how they attract adherents. The strand of new social movement theory that we focus on in this chapter is concerned with examining the features of society that encourage new forms of activism to emerge. We argue that today's challenges of globalisation represent a shift from the conditions that led to the emergence of new social movements, even though there are some similarities. We also look at identity approaches to see how NGOs themselves construct an identity.

The pioneers of these four approaches had particular conceptions of social movements in mind when they generated these theories. Resource mobilisation theory, for instance, is much more applicable to formally organised entities than horizontally networked movements, whereas the converse could be said of new social movement theories. This means that this body of literature known as social movement theory is of varying utility at explaining NGOs. However, in the account below, we supplement our understanding of these theories with more contemporary theories that relate to NGOs covering issues related to professionalisation/NGOisation, diffusion/transnational advocacy and donor dilemmas.

## Resource mobilisation theory: the how

Resource mobilisation theory can tell us something about how social movements emerge and develop. It stresses the importance of resources and organisation and the rationality of actors. In terms of NGO emergence, it highlights the utility of an entrepreneur to kick-start resource generation and consequently mobilisation. Founders of the approach, McCarthy and Zald (1977: 1215), go so far as to suggest that ‘there is always enough discontent in society to supply grassroots support for a movement if the movement is efficiently organized and has at its disposal the power and resources of some established elite group’. In other words, whilst grievances (in one shape or form) are considered ubiquitous, it is the injection of resources from an external source that can translate this into a movement (or movement organisation). According to resource mobilisation theory, good leaders and money are important. But the concept of resources has also been applied more widely to cover non-monetary resources. Whereas formal organisations mobilise the resource of money to sustain their organisation, informal and radical organisations mobilise volunteers to engage in direct action. NGOs mobilise money as well as volunteers. As Bromideh (2011: 198) states: ‘operational NGOs have to mobilize resources, in the form of financial donations, materials or volunteer labour in order to sustain their projects and programs’.

For a movement to accelerate, a certain level of organisational density is required. As Minkoff (1997) states, ‘organizational density is thus critical throughout the protest cycle – initially opening up opportunities for protest and organization building’ (p. 780). ‘Easy-riders’ take advantage of opportunities opened up by the ‘early-risers’ (ibid.). There is plenty of evidence in social movement literature that new organisations have formed once other start-ups had begun (e.g. Walker 1983). Seifert and Plows (2014), for example, note how NGOs against nano-technology were spin-off organisations from earlier campaigns against the agro-food and biotechnology industry.

One strand of resource mobilisation theory argues that organisations, as they develop, become more pre-occupied with securing organisational survival – known as organisational maintenance – than with achieving movement goals. Large, professional and bureaucratic organisations, regardless of whether they have movement goals or are largely operational NGOs, must sustain themselves as organisations, or their whole enterprise is in jeopardy. They must raise money in order to pay for their work to be done. They then must pay for their professional campaigners, researchers, marketing experts and tax advisors (Saunders 2013: 77). Professionalisation and normalisation of protest issues can be seen as a good thing for gaining credibility/reputability and making policy gains; but some activists and NGO critics worry that the trend towards professionalisation will inevitably result in the bureaucratisation and oligarchy that Michels (1959) warned us about (Offe 1985: 187). As expressed in Michels’ most famous words, ‘who says organization says oligarchy’ (Michels 1959). Consequently, demands of the activist core become diluted, compromised (or, worse still, entirely co-opted); and the identity and autonomy of movement organisations are reduced. The warning is that size and credibility with polity does not necessarily equate with higher rates of success; it may just mean more compromises.

Environmental NGOs form a good case in point. In the early 1990s, UK direct activists became disillusioned with Friends of the Earth (FoE) and Greenpeace for their lack of willingness to support illegal direct action to prevent road building. FoE would have been faced with litigation had it decided to continue to support a direct-action roads protest camp at Twyford Down in 1992. To save itself as an organisation it was forced to pull out. In contrast, the radical and horizontal Earth First! and Donga networks – which lacked formal organisational structures – were not threatened by litigation in the same way for they have no status as formal organisations and only the individuals involved could be accountable (Saunders 2013). As Van Der Heijden (1999: 46) states, in the case of the partial institutionalisation of environmentalism:

‘Many environmental organisations have lost their unique movement character and therefore an important part of their strength. It is doubtful whether their strong position at some negotiating tables will compensate for this’.

Moreover, resource mobilisation theory has strong links with organisational ecology. This approach posits that organisations are affected by demand and supply dynamics in the context of a competitive environment (Hannan and Freeman 1977, 1989). Many organisations can co-exist only when demand is high and niches have been carved out. Both resource mobilisation theory and its sister theory of organisational ecology resonate with practices within NGOs. The UK NGO world has faced challenges of reduced donor funding, making it more difficult for small or medium-size NGOs to compete with the larger and more professional NGOs. In the social movements’ literature, competition and bureaucratisation tends to lead to critiques from grassroots organisations. Fewer and smaller pots of money alongside larger and more complicated grant processes and reporting requirements favour a small group of larger NGOs that have been critiqued for uncritical adoption of policy tools, and of shutting smaller and more responsive NGOs out of lucrative grant opportunities (Wallace 2003). A related process is known as NGOisation, in which the moderate and often donor-led work of NGOs takes the sting out of the tail of social movements by depoliticising their ideas and practices (Roy 2014).

Lang (2013: 63) considers NGOisation to be a sensitising concept and defines it as:

the process by which social movements professionalize, institutionalize, and bureaucratize in vertically structured, policy-outcome-oriented organizations that focus on generating issue specific, and to some degree marketable expert knowledge or services.

Professionalisation refers to institutionalised expertise, both with respect to service delivery as well as with respect to advocacy; institutionalisation encompasses the stabilisation of the organisations through developing routines and organization-building; which is closely related to bureaucratization (Lang 2013). NGOisation can take on different forms and includes large umbrella organisations with national member organisations comprising paid staff, volunteers and donors or small organisations with only a few staff members. The causes of NGOisation include accountability to donors, fulfilling legal-bureaucratic requirements to be eligible for tax exemption and making careers in the sector sustainable (Lang 2013; Roth 2016). The consequences of NGOisation include increased recognition and insider status, credibility with political actions and inclusion in governmental and intergovernmental commissions (Lang 2013). While access to resources and agenda-setting can be seen as a positive and successful outcome of NGOisation, this can be accompanied by de-radicalisation and watering down of demands. Critics of NGOisation thus warn that it is an expression of de-radicalisation and speak of the “corporatization of activism” (Dauvergne and LeBaron 2014), which is associated with celebrity involvement and branding. However, this is not to suggest that each SMO transforms into an NGO, nor that all NGOs started out as SMOs.

Although professionalisation, bureaucratisation and competition can be painted in a negative light, the social movements literature informs us that it is not all doom and gloom in this regard. Professionalisation or NGOisation of one part of a movement can lead to radicalisation of another part, to compensate. An example is the US environment movement, where the G10 – a group of the ten largest environmental organisations – has become so institutionalised that it was widely considered to have conceded major compromises to the detriment to the broader environmental agenda. Consequently, the direct-action-oriented Earth First! network, with the motto of ‘no compromise in defence of Mother Earth’, emerged (Scarce 1990; Bosso 1995, 2005). If the major organisations had not become so moderate, then Earth First! would not have emerged.

Relatedly, McAdam et al. (1988) introduced the concept of the ‘radical flank effect’. This suggests that – in the presence of more radical ‘outsider’ organisations – NGOs might be able to exercise a degree of critique as insiders since the presence of the radical outsider makes their previously radical demands seem considerably more moderate. Moreover, strategically acting NGOs need not necessarily feel locked in to unhealthy relationships with their donors. Abou and Tschirhart (2017) combine resource dependence theory and a network model to produce a ‘strategic response model’ that specifies the options that NGOs have. These are exit, voice, loyalty and adjustment.

Resource mobilisation theory is probably the most applicable of traditional social movement theories for understanding the emergence and behaviour of NGOs. This concurs with Dalton’s (1994: 10) comment that the theory is particularly useful for understanding organisations that have a neo-corporatist structure. However, it has been criticised for being too focused on rational action, and therefore for underplaying the meaning work of movements, encapsulated in framing and new social movement theories, which we now discuss.

### **Framing theory: bridging the how and why**

Framing theories provide a ‘bridge’ between identity and resource/organisation approaches and identity approaches. Whilst institutional entrepreneurs are deemed useful for gaining legitimacy, raising money and staff, they will fail to generate an effective and publicly acceptable organisation if they are unable to frame grievances effectively (Snow and Benford 1992: 150). Frames are in essence all about communicating the message (or even the core elements of an identity) of a movement to potential adherents and can be thought of as ‘programmatic stabilizers of social forms and, therefore, also of movements’ (Rucht and Neidhardt 2002). Organisational effort is required to select messages that have potential to resonate with an audience. The messages that should resonate with audiences are diagnostic (i.e. what’s the problem?), prognostic (what can we do about it?) and motivational (i.e. how do we find the right frame to motivate people to participate?) (Snow and Benford 1992). Consequently, ‘framing processes play a decisive role in mobilization campaigns’ (Gerhards and Rucht 1992: 572). As a domain expands (the subject resonates with more people and more sub-categories of the issue emerge), more new social movement organisations will form (Jenness 1995). All the while, NGOs often remain at the core of knowledge production that helps with providing information to shape the frames. Oxfam and Greenpeace, for example, have their own specialist research divisions.

A strand of the literature poses the chicken-and-egg dilemma. What comes first: the issue which leads an advocacy organisation to emerge; or the organisation, which leads to construction of the issue (Blumer 1986; Jenness 1995)? It is clear that NGOs do cognitive work (Eyerman and Jamison 1991) and engage in ‘domain expansion’ (Best 1990; Jenness 1995). As new organisations form, they contribute to framing processes that allow more potential adherents to become sympathisers or participants. The NGO may provide the research expertise (e.g. Greenpeace) (Saunders 2013) or participate in ‘issue networks’ (Sikkink 1993), which bring together a wide range of diverse actors including policy-makers, media workers and intergovernmental actors to shape the way in which issues are framed. A key aim of transnational NGOs is to build ‘international solidarity networks’ (Smith et al. 1997), presumably around carefully framed issues.

Many NGOs have turned towards celebrities to help them frame their message to a broad audience. Celebrity involvement attracts a broad range of people to a cause, but it has generated significant criticisms from academics. Gorringer and Rosie (2005: 12.3), for example, describe Live8, the 2005 anti-poverty concert that was timed to raise awareness of poverty and climate

change issues around the time of the G8 meeting in Gleneagles, as a 'haemorrhaging of coverage from poverty to celebrity'. They write about the inappropriate mixing of footage of famine-stricken children with Madonna's 'superstar' performance. Not only that, the result of the Make Poverty History coalition's indirect leadership was that Bob Geldof became the official spokesperson for the campaign and gave the false impression that this Gleneagles G8 meeting was 'the greatest G8 summit there has ever been for Africa' (Red Pepper 2005), making the public believe that the campaign had been entirely successful, when in fact there is still a long way to go before poverty in Africa has been 'made history'. While it is good news for a coalition of NGOs to reach a wide audience, it is less positive that this should result in triviality or mainstreaming. Similarly, fair trade marketing from NGOs has shifted from being about fairness, to quality, to fame. Celebritisation of fair trade is viewed by Goodman (2010) to be a 'mirror of consumption' that reflects back famous people instead of proper engagement with deep moral issues.

Framing is important for NGOs not only at the organisational level. Barrett and Kurzman (2004) use the concepts of 'global frames' and 'global culture' to capture the readiness of the world for eugenics movements. They conducted a macro-discourse analysis to show that there are broad patterns in global discourse, including a global ideology of statehood that explains the relative stability of eugenics NGOs across the world at particular points in time.

Framing theory is useful to understand how NGOs generate messages that potentially resonate with audiences. It raises some issues around the use of celebrities, and can also be applied at the global level. But what it cannot do is account for the receptivity of decision-makers to the demands of NGOs. And this is where political opportunity structure theory can help us out.

### **Political opportunities: the where and the when**

Political opportunities theory is a broad body of work which argues that political conditions for the emergence and development of social movements matter, but the theory is also applicable to NGOs. According to Tarrow's (1998) synthesis, political opportunity structure refers to the variables that measure the presence or absence of political alliances, divisions within the elite, tolerance of the polity to protest and repression or facilitation by the state. Drawing on Eisinger's (1973) work, we can simplify the theory to suggest that in a state with repression it will be difficult to form NGOs, whereas in an open and facilitative state NGOs might be more common (Kriesi 1995; Kitschelt 1986), providing, of course, activists or potential NGO staff are aware of the degree of openness. Social movements arise when political parties and interest groups (a) fail to accommodate particular interests; or (b) appear too weak to effect changes (Rucht and Neidhardt 2002). Thus, the 'take-off phase of movement politics' (Offe 1989) is considered to occur in 'an institutional vacuum' (Offe 1989: 182). Perhaps ironically, NGOs themselves, if they become co-opted and fail to accommodate the interests of grassroots activists or other people in need, might help to produce that political vacuum. Similarly to what is anticipated by political opportunity structure theory, the emergence and development of NGOs is encouraged by the presence of access points. In the case of NGOs, these access points include the proliferation of transnational institutions that seek legitimation through consultation with NGOs: the UN Council, for example, invites consultation with NGOs, and provides access to groups that are sometimes ignored at the state level (Keck and Sikkink 1998). Similarly, UN conferences invite NGO participation in order to legitimise their processes and regional intergovernmental organisations (such as Europe and the North American trading area) also invite NGOs (Kriesberg 1997).

However, political opportunity structure does not always accurately predict the workings of NGOs. We would probably not anticipate the emergence of NGOs in authoritarian regimes.

Yet, in the authoritarian regimes of Thailand and Malaysia, there have been calls for greater transparency, less corruption, reforms to democracy and free speech. This has brought together NGOs with SMOs and political parties (Davies et al. 2016), illustrating how what we might conceive of as a closed-opportunity structure under certain circumstances could actually invite participation of NGOs.

One criticism of a broad-brush approach to political opportunity structure is that it would anticipate uniform movements and NGOs within states. For example, moderate movements are anticipated in moderate states and underground or insurrectionist movements in repressive states. And yet the movement and NGO landscape varies within countries as much as across them. Welsh (2001), for example, notes how the British anti-nuclear movement consisted of moderate NGOs that sought to use constitutional means to oppose nuclear energy, as well as other SMOs which utilised public education and direct action. As Rootes (1997: 93) suggests, 'systems may be relatively open or closed to different kinds of issues and or groups, and this makes global categorization hazardous if not entirely arbitrary'. Dalton (1994: 171) found that environmental organisations' external identity, strategies and ideologies were more important in shaping the opportunities they faced than macro-political structures.

Thus, political opportunity structure theory might help us to identify what organisational structures and strategies NGOs chose. NGOs need to maintain their reputations with inter-governmental organisations, governments and other donors in order to continue securing invitations to consultations and lucrative contract work. In this sense, we consider consultee and contracted NGOs as 'insiders', in contrast to other SMOs that are 'outsiders'. In pressure group theory, insiders are considered legitimate and are widely consulted, whereas outsiders are ignored. Ideological outsiders purposefully position themselves away from cooperation with governments and intergovernmental governing bodies (Grant 1995; Saunders 2013: 105–106). Saunders (2013) shows that ideological outsiders and insiders rarely collaborate. This might be because ideological outsiders oppose the notion of an insider route, associating it with co-option and compromise. It might also be because the insiders do not want to tarnish their reputations through association with organisations that are radical, and of which their donors or state allies might disapprove. However, this concerns only the organisational level. At the individual level, activists might be involved in insider and outsider activism simultaneously or consecutively participating in different organisations across the life course (Roth 2016).

Notions of POS might also be applied to international decision-making, which consists of multiple nodal points with a variety of sets of rules, alliances, norms and approaches to take to influence it. Thus, the ability of an NGO to 'take advantage of openings in national, intergovernmental, and transgovernmental opportunity structures varies across issues and time' (Smith et al. 1997). Barrett and Kurzman (2004) have made a significant attempt to operationalise a global political opportunity structure, which accounts for similarities in movements across the world, despite differences in national political opportunity structure indicators (whereas national opportunity structures are used to account for differences). They look particularly at international stability, the number of intergovernmental organisations and the agenda of intergovernmental organisations. International stability has a variable effect on opportunities for eugenics organisations. A greater number of intergovernmental organisations signals more openness because there are more access points. A wider set of themes on the agenda of intergovernmental organisations also signals more openness through the creation of more potential allies.

An additional opportunity structure that shapes NGOs, perhaps more so than SMOs, is donors. In the international context, donors have significant influence on the development of NGOs. This can be illustrated by the impact of foreign aid on women's organisations in Central and Eastern Europe. In the context of strengthening civil society in the post-socialist



societies, international organisations supported women's issues such as domestic violence and anti-trafficking programmes (Roth 2007). However, Ghodsee (2004) pointed out that Western donors imported 'feminism-by-design' and ignored the needs and interests of post-socialist women. In order to access Western aid, local NGOs complied with donors' interests rather than developing their own agenda (Ghodsee 2004). However, the relationship between donors and NGOs receiving aid is contradictory and ambivalent and there is some evidence that aid-receiving organisations were able to influence donors and pursue activities that were not donor driving (Roth 2007). Alvarez (1999) studied NGOisation processes in Latin America which include a subcontracting of feminist NGOs who either advise governments or are invited to implement them. In a reassessment, Alvarez (2009) considers how feminist NGOs in Latin America can move 'beyond NGO-ization' and engage in crucial movement work.

The influence of international donors matters not only in the context of the women's movement. Murdie and Bhasin (2011) investigated the intended and unintended effects of human rights INGOs on domestic anti-government protest. They distinguish different types of human rights INGOs, which vary in their effects on protest of domestic groups. Murdie and Bhasin (2011) found that Amnesty International and Human Rights Watch had little impact on domestic politics despite their growing global presence. In contrast, INGOs which have a local presence demonstrate greater commitment, which results in increased violent and non-violent protest. Based on a comparison of Nigeria's movement for the Ogoni People (MOSOP) and Mexico's Zapatistas, Bob (2001) notes that given the specialised agendas and limited resources, INGOs are highly selective in choosing local clients. Thus local groups that are familiar with transnational discourses and claims making and are able to frame their issue so that it resonates with the agendas of INGOs are more likely to gain support. In fact, Choudry (2013) argues that professionalised NGOs which oppose the World Trade Organization, the International Monetary Fund and the World Bank are disconnected from popular resistance against neoliberalism and have little awareness of mass mobilisation against free trade agreements (FTAs). At the same time, mobilisation against bilateral FTAs remains isolated. Transnational advocacy and networking of INGOs thus is limited.

Political opportunity structure theory, then, is useful for understanding the ways in which relatively open states encourage NGOs to participate. The relative openness of global networked governance also encourages the participation of NGOs. Moreover, matters of donors and place characteristics also determine opportunities that impact the shape and form of NGOs. At the organisational level, political opportunity structure explains how and why access is more likely for NGOs in comparison to more radical SMOs. Although political opportunity structure theory takes into account the political environment, it does not consider the broader socio-economic environment, which is why we now turn to an examination of new social movement theory.

### **New social movement theory: the why**

New social movement theory has occupied itself with trying to explain the then 'new' movements of the 1960s and 1970s. It was broadly agreed that these movements had common features that distinguished them from the labour movement (for a critical view on this assessment see Calhoun 1993). As Habermas (1981: 33) suggested, 'in short the new conflicts are sparked not by problems of [labour and product] distribution, but by concern for the grammar of forms of life'. However, this juxtaposition overlooks that recognition of gender and sexual identities is tied up with material interests, for example insurance and inheritance rights of same-sex couples. New social movements were 'new' in three senses: they formed a new scholarly lens,



they (presumably) contrasted with older movements and they developed as a response to a 'new' society that they sought to redress (but see Calhoun 1993). Here, we focus on the new society arguments for clarity and conciseness. Although the socio-economic context has changed significantly since this body of theory emerged, the main lesson we can take from it is that social and political epochs give rise to particular types of movements and NGOs. This is no less true today than it was in the 1960s and 1970s (see for example Della Porta 2015; Roth 2018).

The new social movements of the 1970s were seen as both symptoms and redressers of what was then contemporary society. This was referred to variously as a post-industrial/programmed society (Touraine 1981), an information society (Melucci 1996) and a late capitalistic society (Habermas 1984). Although different scholars have varying philosophical stances in regard to what was then contemporary society, what they have in common is a set of observations around a reduction in class conflict, a growing tertiary sector (known as the new middle class), the expansion and commodification of cultural consumption and leisure, new types of social protest, an expanding welfare state (Ray 1993), increasing state surveillance, and domination of politics and lifestyles by corporate interests (Habermas 1981). However, the recent populist movements around the world are strong indicators that class still matters and that it needs to be approached from an intersectional perspective (Roth 2018). The belief was that the welfare state placated the people, despite its inability to solve environmental problems, poverty and military superfluity. The state was considered handicapped due to the increasingly decentralised locus of power that had shifted from being in the hands of the state to multiple corporate actors. The new movements emerged, acting as magnets for the discontent that the system could not integrate. And those involved in the movements formed new identities and alternative ways of organising and campaigning that bypassed the state (Melucci 1994).

Undoubtedly society has changed since the days of new social movement theorising. Welfare states have retrenched, markedly so since 2008, and intergovernmental organisations have proliferated. Moreover, the growing importance of NGOs is one aspect of neoliberalism as services that used to be provided by state actors are outsourced to non-profit organisations (see for example Alvarez 1999; Fraser 2009; Watkins et al. 2012). This involves not only the market, but also civil society. This has led to welfare provision through non-profit organisations at the local and the domestic level and the involvement of NGOs in development assistance and humanitarian relief (Watkins et al. 2012). Furthermore, self-help organisations such as women's shelters that emerged in the context of the second wave of the women's movement to provide support for women and their children who left abusive relationships transformed through the access to funding through local governments. Fraser (2009: 113), for example, argues that second-wave feminism 'thrived' under neoliberalism, state retrenchment was associated with enthusiasm for NGOs and international campaigns for women's human rights addressed violence and reproduction rather than poverty.

Demirovic (1998: 91) argues that although NGOs 'partly emerged from the protest cycle of the new social movements, they are not a social movement'. But, in line with new social movement theories, the locus of power has become harder to pinpoint as the state finds itself challenged by terrorism, new forms of internationalisation and regionalism, shifts in power to supranational organisations and as power moves from the state to the market, resulting in what Della Porta and Tarrow (2013) call 'complex internationalism'. Another important shift relates to technologies and online activism. A new public sphere has emerged online (Langman 2005; cf. Habermas 1984), which has exemplified a crisis of legitimacy, including of NGOs. For example, Oxfam is, at the time of writing, being berated across social media sites after the recent sex scandal (see Roth, Chapter 19 of this volume). This is having a negative effect on Oxfam's reputation, even though some left-wing organisations and commentators are claiming that the

UK Conservative government is using the scandal as an excuse to attack the aid budget (e.g. Red Pepper via Facebook).

Societal trends affect the emergence, development and workings of NGOs. The processes of colonisation of the lifeworld (Habermas 1984), in which corporate interests come to dominate the way people think, feel and act, have only become more ubiquitous in the past four decades. As Langman (2005) reports, the 'pleasure principle', in which people give willing consent to consumerism, distracts people from reality. But it also encourages some to seek out alternatives, including seeking information from NGOs that is now widely available on the internet. The erosions of state autonomy, cultural homogenisation, environmental degradation and poor human rights have together caused a legitimacy crisis that some NGOs have sought to address.

Moreover, globalisation processes and funding cuts affect the workings and operational budgets of NGOs. NGOs find themselves invited to multiple international conferences of inter-governmental organisations, which might detract their attention from more immediate issues and problems they could be solving (Lynch 1998). NGOs – despite being formal in and of themselves – have tried to address the challenges of globalisation by generating new discursive alternatives and joining horizontal networks that seek to address issues on multiple levels in various ways. One of the most significant attempts to generate new discursive alternatives has been the European and World Social Forums, where activists and NGO workers from across the world have come together to try to generate a template for a better world (Teivainen 2002). However, global inequalities are reflected in access to resources and unequal opportunities to participate in such meetings (Siméant 2013). Despite these limitations, attempts have been made to form horizontal coalitions, such as Make Poverty History (2005) which challenged the G8 on multiple counts in a plethora of ways, but which arguably failed because of its over-ambitious objective and lack of centralised leadership (Saunders and Papadimitrou 2012).

New social movement theory is also relevant to NGOs because NGOs themselves have shaped global culture through diffusion processes. NGOs play a central role in Transnational Advocacy Networks (TANs) which contribute to the diffusion of norms. Keck and Sikkink (1998) illustrate the influence of TANs by discussion advocacy networks addressing human rights, environmental issues and violence against women, whereas Boli and Thomas (1999) note the contribution of international NGOs in Constructing World Culture (see also Tarrow 2006). Berkovitch (1999) provides a historical overview of the emergence and transformation of the international women's movement, starting with a discussion of the International Council of Women, a global women's NGO that was founded in 1888. Political opportunity structures such as the League of Nations, the United Nations and the European Union played an important role in the development of social movements and NGOs, including women's movements and women's NGOs (Roth 2017).

Also central to the new social movements literature is the concept of collective identity, which refers to the sense of we-ness among activists. As one of us argues in earlier work (Saunders 2008), a strong sense of we-ness can result in a strong degree of solidarity. This solidarity can have a negative side effect of juxtaposing the 'we' against a 'them' who is actually an ally, albeit one that works in a different way from the solidary collective. Demirovic (1998: 92) contrasts the symbolic identity of new social movements as a collective actor with the symbolically non-integrated corporate identity of NGOs. This process of 'sectarian solidarity' (Misztal 1996: 34) can often result in NGOs being held to account by their more radical counterparts for seeking the same goals but through more reformist means. It certainly seems as if a we-them distinction has been generated by some Southern NGOs against their Northern counterparts, with their charges fuelled by the seemingly unfairness of disproportionately high budget allocations being

proffered to Northern NGOs (Alejandro 2006). Environmental NGOs have also been dubbed as a toothless or corrupted ‘them’ by radical environmental activists (Saunders 2008).

New social movement theories, then, draw our attention to features of the contemporary socio-economic landscape and encourage us to think about how these shape NGOs as well as NGO relations with other organisations. They also allow us to think about the notion of collective identity, which can play an important role in shaping NGO relationships with other SMOs.

## Conclusion

NGOs and NGOisation, internationalisation and donors raise important questions for social movement theories. At the same time, social movement theories provide useful tools to understand the how, why, when and where of NGO formation. Social movement theory can provide pathways towards consideration of the causes and consequences of NGOisation and how NGOs contribute to diffusion transnational diffusion processes. Given their access to resources and powerful actors, NGOs can assume a dominant position vis-a-vis social movement organisation with fewer resources. If they assume the role of donors themselves, they may require (or invite) complicity from local actors which de-radicalise in the process. The study of NGOs and social movements always includes a consideration of different tactics – insider tactics and outsider tactics. Insider tactics including lobbying and advocacy might be the right approach for claims making, but they also include the risk of watering down demands. On the other hand, outsider tactics might be pure, but might not lead to any political gains. The combinations of insider and outsider tactics, access to resources and unconstrained radicalism strengthens social movements. In this view, the professional NGO is an important social movement organisation. However, if there is a lack of communication between insiders and outsiders, then NGOs might seem disconnected from social movement actors.

We have demonstrated how different social movement theories contribute to our understanding of NGOs, even though some of them are clearly more applicable than others. Certainly, resource mobilisation theory is the most intuitively suited theory for understanding NGOs. Having said that, even new social movement theory seems useful for understanding NGOs, with plenty of scope for relating a philosophical approach to the current socio-political environment to the NGO landscape. In this regard, there are multiple opportunities to understand the intersection of socio-political environments with the political economy of NGOs. Only by considering a range of theories together is it possible to understand the how, where, when, who and why of NGOs.

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# International NGOs in development studies

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Suffering, disease and famines: such are the stories of humanitarian appeals and one of the primary means by which many people connect and contribute to international development. When our urge to help is ignited, the obvious place to turn is to International Non-Governmental Organisations (INGOs) in order to make donations. Some development INGOs have become household names, such as Oxfam, Save the Children, Action Aid, CARE or faith-based organisations such as CAFOD, World Vision or Christian Aid, to name just a few. These organisations are international ‘charities’ that work in international development and humanitarian relief in most continents where there is extreme poverty, primarily in Africa, Asia and Latin America. The term NGO describes a spectrum of different types of organisations working on issues of development and humanitarian relief and can refer to a ‘one man in an office’ operation, or to an internationally based organisation such as Oxfam with many national sister Oxfams and a complex array of partner organisations. This chapter will examine how these development INGOs are conceptualised broadly, and then their conceptualisations within international relations and within development studies.<sup>1</sup> To do so, the chapter primarily focuses on large-scale International NGOs working in international development and humanitarian relief. These international actors are complex organisations operating at different scales, frequently with different missions and functions. Exploring how INGOs function and are explained within the international relations and international development literature will illustrate the difficulties in explaining and analysing this diverse set of international actors. And while the international development literature’s more functional analysis of INGOs better captures their work, this chapter will illustrate how there are still some gaps in how we conceptualise development INGOs.

## Understanding development NGOs

Development INGOs are key actors in international development and humanitarian relief. They are the first names people think of in order to get information about a situation they may see on the news, to donate money to a particular emergency appeal or to purchase goods from their local charity shops. But while this is what development INGOs are generally known for, behind our experiences of these organisations are highly sophisticated, multinational organisations with complex systems, embedded in extensive political networks with a wide global reach.

They operate at different scales and have a multitude of functions and different ‘theories of change’ – a term used to describe their strategies for ways they aim to effect change.

The term development NGOs is used broadly to describe specific types of organisation that are value-driven working in the field of international development. When we speak of NGOs in IR, we are typically referring to the well-branded and marketed International NGOs that are highly recognisable. These international NGOs tend to be based in the global north with projects in more than three countries in the global south.<sup>2</sup> Yet these international NGOs are only a small part of the development NGO sector, as most NGOs are based in the country where they operate in the global south. Such domestic development NGOs are also well connected to the development sector, typically through their partnerships with other domestic NGOs, with INGOs and with international donors. International NGOs historically (but not exclusively) originated in the global north and have evolved from small church-based organisations or secular organisations responding to a particular crisis, to large international organisations that have ‘branches’, ‘sister organisations’ or belong to federations in a multitude of countries. However, to think that these organisations are exclusively based in the global north is deceptive. For example, many such organisations such as Action Aid, CIVICUS and Oxfam have moved elements of their head office functions to countries in the global south. INGOs also have long-standing partnerships with organisations in the global south, frequently with their own offices in the countries that they work in. And there are global south staff working in INGO offices in the global north, and global north staff working and living in the global south. Therefore, these distinctions, while somewhat helpful, are not clear cut, and while broad terms such as ‘south’ and ‘north’ may be somewhat misleading, when referring to INGOs, almost all have their heritage and loci of power in the north, which is also where their funders are based, be they governments, international institutions or individuals.

During the last three decades, most INGOs have formed their own federations; for example, where there were eight relatively unconnected sister Oxfam organisations in the mid-1990s, there is now a much more coordinated and centrally structured Oxfam International with 17 sister Oxfams sitting under the Oxfam umbrella. Oxfam is not unique in this sense, as many other INGOs have also adopted this international organising strategy. Additionally, there has been an increase in large-scale transnational campaigns, bringing together many influential actors, and some have had a great deal of success; and INGOs have played a significant role within these campaigns.

To define the exact nature and role of INGOs is difficult, as the term is used to describe a wide variety of organisations all of which have different historical trajectories, fulfil different identified needs and have different institutional abilities and mandates. There are INGOs, for example, which are relief and welfare agencies, those that provide technical innovation and those which are funded to carry out public service contracts. There are also grassroots development organisations or advocacy and lobbying groups advocating for change. However, as Farrington and Bebbington have argued (1993: 3), part of the problem in discussing INGOs as a broad category is that such classifications do not fully differentiate between the function, ownership and scale of operation of the organisations.

INGOs’ funding has risen dramatically over the last three decades. Within the international development and humanitarian relief sector, the total aid disbursed through INGOs increased 10 times between 1970 and 1985 and Keane (2003: 5) states that close to 90 per cent of all non-governmental organisations have been formed since 1970. By the end of the 20th century, an estimated US\$7 billion of official aid and foundation funding was being channelled through INGOs, surpassing the volume of the combined funding of the UN system of US\$6 billion (Reimann, 2005: 38). Additionally, Epstein and Gang (2006) state that between 1991 to 2002,

the number of INGOs grew by 19.3 per cent. The publication '100 Top NGOs' (*Global Journal*, 2013) states that according to their calculations, many of the largest INGOs are operating with larger aid budgets than the budgets of many developing countries, and they go on to cite the example of World Vision (one of the largest development INGOs), whose budget is greater than the aid budgets of Italy and Australia combined, while Save the Children's budget is greater than that of Austria (*Global Journal*, 2013: 35). Thus, international development NGOs have become significant actors in international politics.

## Conceptualising development NGOs in international relations

Wendy Harcourt (2012: 3) argues that INGOs must renegotiate their political positions as well as the ways that they work as they are increasing horizontal and multi-level connections as a result of technological changes, where people are engaging in new political behaviours. INGOs are not only claiming their importance, but they have a seat at the political table in many key development situations. INGOs are key actors in international development and, through their fundraising, awareness raising and campaigning, they are the primary mediators of international development for the majority of people in the global north (Yanacopulos, 2015). This is an extremely powerful position to be in and in many ways, they are the face of the development industry, constructing, mediating and representing meanings of development. And yet, their conceptualisation within both international relations and development studies requires refining.

Historically, INGOs have been ignored by most international relations theory. Ahmed and Potter (2006) argue that the reason for this is that INGOs cross academic disciplinary boundaries and many disciplines, from anthropology, geography, sociology and politics to management studies, have some interest in INGOs. Thus, this means that they are explored from many perspectives, but this diversity of interest also contributes to there being no one unified body of INGO literature that can be 'readily accommodated by mainstream theories in international relations' (Ahmed and Potter, 2006: 9). Additionally, as development INGOs are frequently concerned with particularly technical areas such as health, agriculture and engineering, locating them in one discipline is difficult as their focus may be too broadly distributed.

But DeMars and Dijkzeul (2015: 5) argue that it is the very nature of development INGOs that makes them great candidates for bridging seven key critical divisions in world politics; they argue that INGOs could help to contribute to conceptions and theories of international relations and world politics as they can act as a bridge in our thinking:

- of the state and society, and the shifting boundary between public and private;
- within society, and between family and market;
- between the normative and the material;
- between the religious and the secular;
- between agency and structure;
- between conflict and cooperation; and
- between the national and the international.

INGO practices produce vast networks of international institutionalization through their everyday performing of anchoring practices, as DeMars and Dijkzeul (2015: 5) state, through their 'NGOing'. In addition, through their bridging, INGOs generate transnational power-based encounters: 'belying their idealist and anodyne image, transnational NGOs create the occasion for, and often veil from scrutiny, a growing arena of complex power relationships in world

politics. In this way, NGOs and their networks institutionalize both conflict and cooperation' (DeMars and Dijkzeul, 2015: 5).

When we look at the broad grouping of international relations theories, starting with realism, development INGOs are not considered significant actors as they are not deemed to have a significant impact. Realists are not interested in development INGOs and realist theories are concerned with national interests of states and international security issues. Yet INGOs are undoubtedly key players in some forms of states' foreign policies, being used by them (either explicitly or through governmental donor funding) to deliver national interests abroad. When we examine liberal theories of international relations, with their focus on interstate cooperation, development of international norms, the influence of public opinion and the range of actors beyond states involved in world politics, INGOs again are conspicuously untheorised. While liberal theories might seem like a good starting point for studying development INGOs as their aim is for a more peaceful world, the absence of INGOs is still evident. As presented by Ahmed and Potter (2006: 10), liberal theories examine cooperative relationships as security issues, the domain of states, do not dominate all fields of international activity. Thus, liberalism places attention on transnational interactions outside those of the state, such as between multilateral and sub-national actors as well as on multinational corporations. Yet, as DeMars and Dijkzeul (2015: 9) argue, liberal theory 'has actively discouraged INGO scholarship'. Some branches of liberal theory are more inclusive of INGOs, even while being state-centric, such as regime theory, which examines how interest groups and transnational coalitions attempt to solve problems, and yet they struggle to be inclusive of INGOs.

The most hopefully theoretical field that considers and accounts for INGOs as political actors is that of constructivism. Stephen Walt and Jack Snyder (quoted in DeMars and Dijkzeul, 2015) argue that transnationalism and NGOs are very much key in constructivist thinking where the role of norms, ideas and values shapes world politics. Constructivism is a fundamentally idealist theory that 'emphasises the influence of ideas, values and discourses that shape political identities, beliefs and interests' (DeMars and Dijkzeul, 2015: 10). In constructivist theorising, NGOs are the more organised elements of a transnational civil society, where NGOs are seen as agents of the voiceless who are advocating for those at various levels of government, or as DeMars and Dijkzeul (2015: 11) summarise, as 'transnational pilgrims in an emancipatory passage from oppressive rule to self-regulating community'. This ideal does not radically differ from some of the claims made by development INGOs themselves either explicitly in their literature or implicitly in the imagery that they use in their marketing and fundraising visual representations. Other forms of constructivism focus on global norms frequently perpetuated and influenced by NGOs, whether these norms are focused on states and their adoption or focused on individuals around particular issues. These globalist constructivist norms tend to be around 'justice-based' issues around human rights or the environment and they could be seen as the 'UN's extension agents, bringing authority and order . . . portray[ing] NGOs as obediently implementing and enforcing [organisations]' (DeMars and Dijkzeul, 2015: 11).

The most encouraging approach to INGOs within the discipline of international relations has been in the seminal work by Keck and Sikkink in their 1998 book *Activists Beyond Borders*, and the work that followed. While Keck and Sikkink's work is not exclusively on INGOs, their work on transnational advocacy networks was inclusive of these actors as important within governance processes taking place beyond the state. In their analysis, INGOs were theorised as part of issue-based transnational advocacy networks (TANs). Their definition of TANs 'includes those actors working internationally on an issue, who are bound together by shared values, a common discourse, and dense exchanges of information and services' (Keck and Sikkink 1998: 89). Keck and Sikkink's aim was to examine forms of activism and how TANs achieved success:

TANs not only superseded the national realm, but also broke down the divide between domestic and international activities, with the potential to ‘transform the practice of national sovereignty’ (Keck and Sikkink 1998: 89, 91–92). Essential to TANs was how they framed issues and created and renegotiated norms, so that their interests came together to create a transnational network which could garner leverage through national and international political processes and structures.

Thus, while some international relations theories, namely constructivist theories, are more inclusive of INGOs, the majority of IR theories either do not take them into account or are very focused on particular functional elements of INGO work. International relations, as a discipline, has been criticised for lacking in analysis of domestic politics, and for lacking in an analysis of non-state actors. For development INGOs in particular, this omission by many international relations theories has meant that the work that they do is not captured in their political analysis of how change happens and how global north and global south relations are formed and enacted. That development INGOs work is political, whether explicitly or implicitly, is missed out in a discipline that not only concerns itself with world order, but also political change. As Ahmed and Potter (2006: 11–12) state, ‘Technical assistance to increase agricultural productivity, the construction of village schools in developing countries, and efforts to immunize children against disease do not appear political, although in the long run their effects may be’.

INGOs were more or less spared searching critiques in the 1980s, but since the 1990s – specifically starting with the work of Edwards and Hulme (Hulme and Edwards, 1992; Edwards and Hulme, 1995; Hulme and Edwards, 1996) – they have been criticised around their accountability and legitimacy, around their professionalisation and around their perceived de-politicisation. More recently, terms such as ‘NGOisation’ (Choudry and Kapoor, 2013) have entered the contemporary political lexicon, critiquing NGOs as depoliticisers of social movements. The term also stands for an over-professionalisation of the development NGO sector with critiques highlighting their lack of alternative approaches to those of state donors. There have been accusations, too, that many of the INGOs in the development sector have lost sight of their values and mission (Banks and Hulme, 2012). While all these critiques need to be considered, and some may indeed be valid, it is important to consider where such critiques are originating and whether they are politically motivated. Frequently, when INGOs – and specifically the larger INGOs – are criticised, little distinction is made between the different political visions, strategies, constituencies and organisational structures within the sector. These critiques come from not only outside the sector, but also within it. One director of a UK-based INGO interviewed stated that ‘they [INGOs] are out of touch . . . they are afraid of being criticised as they see it as a negative thing rather than it being helpful, something that jeopardises their brand and fundraising’ (personal correspondence).

## International development theories

The idea of international development formally took hold in public discourses and in political aims after WWII when President Truman spoke of the ‘underdevelopment’ that needed American support (typically in geopolitically sensitive regions in the global south) in his 1949 inauguration speech. However, as Cowen and Shenton (1996) outline, the idea of progress, as is evident in President Truman’s speech, dates back to 18th-century Enlightenment thinkers who wanted to ‘create a “better, more just and modern society” via processes of industrialization and democratization based on the ideas of progress, equality and freedom, and associated ideologies’ (Velmeyer and Bowles, 2017: 1). And as Kothari (2005) argues, there are clear links between religious ideas of ‘charity’ and the ‘civilising’ of entire nations and continents and what is now called development.

In the post-1945 period, according to critics such as Wolfgang Sachs, the idea of 'development' was created as 'a geopolitical project to rescue countries recently liberated from the yoke of colonial rule away from the lure of communism, and to steer them along a capitalist path' (quoted in Velmeyer and Bowles, 2017: 1). Pioneering ideas around development as a field of study were originally led by development economists such as Rostow (1960) with his theory of modernisation. Development was seen in terms of 'progress', specifically in per capita economic growth involving industrialisation and modernisation. Key economic factors indicating development included a country's increase in the rate of savings and investment, the capital investment of the state in national industries, the nationalisation of economic enterprises in strategic industries and sectors and an inward orientation of production, which, together with a secular increase in wages and salaries, expanded domestic markets and the regulation and protection of domestic markets, thereby insulating them from the competitive pressures of the world economy, and the modernisation of production apparatus, the state and social institutions, reorienting them towards values and norms that are functional for economic growth (Velmeyer and Bowles, 2017: 3).

While the dominant development paradigm during the 1950s and 1960s was that of economic modernisation, there were also social reformers who saw development as a situation of deprivation and poverty, and the lack of fulfilment of basic needs. However, also popular during this period of the 1960s and 1970s was dependency theory, which critiqued the modernisation approaches adopted during this time, and this approach was embraced by not only academics but also practitioners, particularly in Latin America. During the 1970s and 1980s, there were social-liberal scholars who sought an alternative people-centred participatory approach to development such as Hollnsteiner (1977) and Rahman (1984). Therefore, by the end of the 1980s, there were differing conceptions and approaches to development: economic modernisation, social reformists and social liberalism (Velmeyer and Bowles, 2017: 4).

It is the last two of these paradigms that was most open to including INGOs in conceptualisations of development. The social reformist perspective focusing on basic needs and poverty included development INGOs as service providers to the poor. The social liberalist approach of the 1980s, with a focus on people-centred participation, was also more open to including NGOs as they were seen as intermediary organisations between north and south. However, what we see in the 1990s is the dominance of what is called the Washington Consensus – the idea that governments in the global south had been too involved in their economies, and were thereby part of the development 'problem', that state involvement needed to be reduced. The result of these neo-liberal policies was that INGOs were frequently seen as a more direct vehicle for donor funds to reach and impact development aid recipients. This, along with the dramatic shifts in Eastern Europe in the late 1980s to early 1990s, frequently attributed to civil society actors, saw a significant reconceptualisation of civil society (frequently conflated with NGOs) and the role of non-state actors in development (McCoskey, 2009). The discourses around NGOs fit well with other terms being used during that time (and their use continues), such as 'empowerment', 'sustainable' and 'inclusive' development. Velmeyer and Bowles (2017: 6) argue that these terms and ideas were the building blocks of attempts to construct a model of alternative development, which highlighted a need for a more inclusive form of development.

During the past few decades, there have been other schools of thought within development studies, such as postcolonial studies and critical development studies. Critical development theorists include Schuurman (2009), O'Hearn and Munck (1999), and Velmeyer and Bowles (2017), to name but a few. While alternatives to economic development thinking date back to the 1970s, critical development critiques have become influential in the ways that development is being conceived and practised (for more on critical development see Velmeyer and



Bowles, 2017). Critical development theories are inclusive of key development issues, such as the role of gender, environmentalism, culture and class. Relatedly, postcolonial theories have been influential in the ways that development is conceived and critiqued. As Ilan Kapoor (2008) states, development has had a 'relative amnesia' about colonialism and neo-colonialism, and other authors such as Kothari (2005), Cowen and Shenton (1996), and Crush (1995), to name but a few, have been critical of the continuation of colonialism in mainstream development theory and practice. Postcolonial theories go beyond conceptualisations and practices of international development, but given the nature of the discipline and the related practices of development practitioners, including INGOs, these critiques need to be taken even more seriously within the discipline.

## Conceptualising development NGOs

If we step back from these theories of development, and look at development INGOs from a functional perspective, we see that they have two primary functions in their operations, and while these two functions are not mutually exclusive, generally there are some tensions in how development INGOs fulfil these roles (Yanacopulos and Baillie Smith, 2007). The broad operational functions of international NGOs consist of:

- as 'practice-based organisations', frequently stepping in where governments and international organisations cannot fulfil a role, frequently referred to as 'service provision'; and
- as 'influencing organisations' that are trying to influence other national and international political actors around issues of poverty, inequality and development.

To examine the first of these functions, one of the primary roles of development INGOs has been that they help deliver services to the poor in the global south. They communicate this type of work to northern supporters and funders, and their organisational communications and fundraising primarily conveys the message of service provision as their primary role. INGO service delivery work is diverse, with some development and humanitarian INGOs focusing on humanitarian relief, education, health and shelter. Most of the large INGOs, however, have programmes that cut across many of the sectors identified in addressing poverty, both in humanitarian emergencies and in longer-term development projects.

The second function of development INGOs, frequently boldly highlighted in their theories of change, revolves around changing people's lives beyond just delivering services. For example, Oxfam (2013: 6) states that they want 'a just world without poverty: a world in which people can influence decisions that affect their lives'. Save the Children (2016) has a mission to 'Inspire breakthroughs in the way the world treats children and achieve immediate and lasting change in their lives . . . by being the voice, the innovator, working in partnerships and achieving results at scale'. Christian Aid (2018) aims 'to expose poverty throughout the world; to help in practical ways to end it; to highlight, challenge and change the structures and systems that favour the rich and powerful over the poor and marginalised'.

Sabine Lang (2013) offers a useful way of thinking of INGOs as influencing organisations in her book *NGOs, Civil Society and the Public Sphere*. Here Lang lays out two characterisations of INGOs. In the first characterisation, she uses the analogy of 'David and Goliath', in which INGOs are portrayed as poor and marginalised, but are seen as defenders of human rights, democracy and social justice (as opposed to governments who are seen as all-powerful). In her description of this first characterisation, Lang sees the reality of INGO/government relations as being more complicated than this trope, where there is a co-dependency between unequals.



The second characterisation of INGOs is what Lang terms ‘counter public’, in which INGOs are portrayed as catalysts for civil society, organising concerned citizens and providing an alternative voice to that of governments. As she outlines, this idea is idealistic, as INGOs frequently do not provide much of an alternative perspective to that of governments.

Given the functional work of development INGOs, how have different international development approaches or paradigms tried to explain and analyse these particular types of organisations? Historically, one of the key limitations in many conceptualisations of development INGOs has been that they are grouped as one broad category of organisation when they are actually a vastly diverse group of development actors, with different aims and ways of operating. Some development INGOs may be only interested in service delivery, while others may be exclusively advocacy-based organisations. Some have commercial aims, while others may work as consultancies. Some may work only with southern partners, while others send supporter/volunteers to countries they work in, while even others have entire operational infrastructures in recipient countries. Some focus on particular groups, such as children, whereas others span across all sectors. Others work extremely close to governments, obtaining their funding from governments, following governmental political agendas, whereas others refuse to take any funds from governments and work closely with social movements involved in resistance. And everything in between. Thus, trying to categorise and conceptualise these diverse organisations becomes particularly difficult, even though there is some degree of similarity between them.

An additional problem is that, as previously outlined, many of these INGOs have to be extremely aspirational in what they claim to be able to achieve in order to sustain their financial support. Michael Edwards (2008: 48–49) succinctly outlines this in what he has called ‘the elephant in the room’, stating that INGOs ‘will never achieve the impact they say they want to achieve, because their leverage over the drivers of long-term change will continue to be weak’. Also, since 2000, and despite eminent figures such as Kofi Annan claiming that the 21st century is ‘the era of NGOs’, the development NGO sector has come under increasing critical scrutiny. Development INGOs in particular have been influenced by global paradigms such as the Millennium Development Goals (MDGs) and the subsequent Sustainable Development Goals (SDGs), leading development organisations to reconsider and realign their goals to conform to broadly agreed programmes of action with a view to measurable outcomes. Many (such as Ferguson, 1994; Banks and Hulme, 2012; Choudry and Kapoor, 2013; Yanacopulos, 2015) have argued that this has depoliticised their role in development, leading INGOs to become more engaged with delivering development programmes than with becoming agents of social change.

The rise of the INGO sector can – at least in part – be attributed to decades of economic growth in the global north, as outlined by Wendy Harcourt (2012: 3). However, this has all changed since the financial crises of 2008, to which INGOs and the development sector more broadly have not been immune. Internationally, the large national development donors of the past are being challenged by the so-called ‘emerging economies’ of the BRICS that are now influencing the different development approaches and priorities. The economic situation since the economic crisis in Europe in 2008 has impacted on the environment of INGOs in various ways, such as their reduced ability to raise funds from individuals through fundraising campaigns, as well as the increasing number of agencies competing for funding from other sources such as governments and international organisations. Additionally, the increase in the number of INGOs over the last few decades has meant that there is more competition for funding, resulting in a shrinking pie that is being cut into more pieces. This has had an impact on INGOs in a variety of ways, from a shift in the images they use in fundraising, to a focus on short-term gains and the relationships between many INGOs with governments and corporations.

The rise of southern-based INGOs is significant, and they are now numerous and influential; for example, the biggest development NGO in the world is BRAC from Bangladesh with over 100,000 employees. This shift has led not only to an increase in the capacity of southern-based NGOs, but also to an increased requirement (whether from donors or from within the INGOs themselves) for INGOs to work with southern partners. A programme manager for Save the Children Denmark outlines the value-added of northern INGOs working with southern NGOs and civil society organisations (CSOs), where ‘donors are beginning to fund southern CSOs directly, bypassing northern NGOs altogether and putting these organisations under pressure to reposition themselves’ (quoted in Smedley, 2014). Additionally, INGOs such as Every Child have restructured their organisations where the INGO is no longer delivering programmes, but raising funds for partners to do so. The CEO of the NGO Every Child explains the position of the organisation: ‘When we asked ourselves what we thought our most effective contribution to change might be we realised that our structure was upside down’ (quoted in Smedley, 2014). The driving force behind such shifts has been a raised concern about the role INGOs are to play in development; if northern INGOs are not close to the grassroots (or at least not as close as their southern partners), then what exactly is their role in the development process?

Taking these issues into account, it is not surprising that development studies has better theorised the ways that INGOs both operate and take part in international politics. However, not all development studies theories comprehensively account for INGOs. The economic modernisation theories were completely dismissive of NGOs, as they were concerned with modernisation being state- and market-driven. Other development theories such as the social reformists started accounting for the work of INGOs, but mostly accounting for their service provision roles. Social liberal theories of development which had a more people-centred and participative perspective again accounted for the work of INGOs, but were quite uncritical of the role of these organisations. They focused on the ‘people-centred’ and participatory aspirations of INGOs, but failed to account for how INGOs functioned as northern-driven organisations, and the effects that their organisational demands had on how they operated. These INGOs’ operational structures and their northern perspectives at best mitigated the effects of poverty with specific individuals they worked with. However, this ‘people-centred’ approach fails to highlight and address the systemic causes of poverty and the ‘northern gaze’ that many INGOs rely on in their mediation of the global south to the global north.

Postcolonial theories as well as critical development theories have offered some interesting changes in the ways that INGOs have been analysed. Postcolonial theories and critical development theories are not the same, but have some similarities in their perspectives. Postcolonial theories are frequently not interested in development per se, but originate from the field of literature and art. Postcolonial theorists argue that development INGOs are part of the ‘development/aid industry’ and are perpetuating colonial relationships of the past through modern practices. As Sylvester (1999) argues,

Postcolonial studies is freer to criticise colonialism and creeds of progress openly . . . It can also wander in between the colonial and postcolonial spaces of many locations in order to point out the ways in which agents of development have been restructured and penetrated by colonised peoples.

*(1999: 717)*

Many critical development thinkers have been influenced by postcolonial perspectives. The subfield of critical development studies is a loose grouping of thinkers concerned with the professionalisation of the sector, and also the role of INGOs in this professionalisation and

technicratisation process. They argue that there is a focus on administration over policies, of service delivery over advocacy and of technocratic goals over systemic change. As Srinivas (2009: 621) states,

Crucial development-related choices may no longer be exercised by the people to be benefited, but by those intending to benefit them. Political choices may no longer be conceived in terms of generating a shared public outcome, but rather in terms of narrower individual ends.

And development INGOs are frequently complicit in these approaches.

But where does a critical development leave us with respect to INGOs? We could assume that this perspective dismisses INGOs; however, generally this is not the case. Critical development studies critically examines the agents, structures and actions of international development, but does not write off the whole enterprise of development. What it does allow is for a healthy questioning of the role of INGOs in international development by asking questions of power, and asking whose interests NGOs serve and what are the consequences of INGOs' work, and by also asking if by supporting them, other avenues of social change are closed down (Srinivas, 2009: 618–619). Srinivas (2009: 623) argues that critical perspectives acknowledge that 'Successful social change generally involves a range of organizing methods and organizations, operating at multiple levels of society . . . [and] require[s] local organizing, community level organizations that hire professionally trained staff when needed'. And if led by local organising, community-level organisations, INGOs can be part of this equation.

## Conclusion

Within the academic discipline of international relations, historically, INGOs have been treated in a cursory manner and have not been well conceptualised. Within the subsector of development and humanitarian INGOs, the theorising is even more elusive. Given that development NGOs are such a diverse set of organisations, with diverse functions and ambitions, theories around them need to be inclusive of this diversity. Additionally, most development INGOs have a clear advocacy function, and this aim and practice of advocacy needs to be included in their theorising. Thus, a theory of INGOs needs to be inclusive of both their functionality as well as their influence. This is not dissimilar from the ways that multinational corporations are theorised as they may have different functions, but are also theorised around their financial power. As the functions of development INGOs, based on values, are less easily quantifiable, and INGO power is more based on shifting norms and influence, they are less straightforward to theorise.

Specifically, within international relations, realist and liberal schools of thought have struggled to account for the ways that development INGOs operate. We have seen that there are groups of theories, such as constructivism, that are inclusive of INGOs, but it is only the advocacy and influence elements of INGO work that they account for. But what we have seen in a growing body of INGO literature is that the other work they do, namely service delivery, also matters as do their complex organisational structures and strategies in the influence they wield in the world. Thus, while the focus on INGO advocacy in the study of national, international and transnational politics is welcome and important, there is another element of INGO work that is missing in their theorising. In this chapter, we have seen how development studies theorising of INGOs, with its more functional analysis of these organisations and the work they do, has been able to better capture how INGOs have been influential not only in their advocacy work but also the influence they have in their service provision work.

Development INGOs are studied within many disciplines, not just international relations. However, it is vital that development INGOs are taken into account within International Relations, as they operate and have influence internationally and their roles are fundamentally political. Development INGOs need to be acknowledged as actors in world politics as they are taking on many familiar roles such as advocacy; their roles involve power and influence, and involvement in transnational networks in their attempts to effect political change, not only within countries but around specific issue areas. As DeMars and Dijkzeul (2015: 6) posit, including INGOs is needed in all traditions in IR, and they argue that to do so

[would] enrich the realist tradition by revealing overlooked power relationships in the transnational networks built by bridging NGOs; we bring to the liberal tradition a much broader conception of international institutions by illuminating these transnational institutional networks; and the significance of NGO practice in world politics can bolster the constructivist tradition's ability to discern and explain international political change.

As previously outlined, Michael Edwards (2008) speaks of the 'elephant in the room' when he states that 'NGOs will never achieve the impact they say they want to achieve, because their leverage over the drivers of long-term change will continue to be weak'. And yet, development INGOs are powerful actors at both national and international levels, arguably defining the public's views, and consequently the policies of governments around humanitarian and international development.

## Notes

- 1 The disciplines of development studies and international development are used synonymously within this chapter.
- 2 Countries in what has been termed the global north are the economically developed societies of Europe, North America and Australia, amongst others. Countries in what has been termed the global south are less economically affluent, such as those in Africa, Latin America and some parts of Asia. Where global north countries are wealthy, technologically advanced, politically stable and aging as their societies tend towards zero population growth, the opposite is the case with global south countries (Ekedegwa Odeh, 2010: 338). Whilst these are somewhat crude terms, they are less problematic than 'developed/developing' and 'first world/third world'.

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# NGOs and management studies

*David Lewis*

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## Introduction

Management science has paid relatively little attention to non-governmental organisations (NGOs) and likewise the field of management proved a somewhat neglected area of scholarship among researchers interested in NGOs. Management studies has mainly centred on the for-profit business sector, and to some extent on public administration. It is only comparatively recently that more attention has been paid to the non-profit or “third” sector family of organisations. Social science scholarship has mainly been focused on the *roles* that NGOs play in relation to human rights, international development and environmental activism and to questions of whether and how they are “making a difference” to these fields. This has generally been at the expense of trying to better understand how they are constituted as organisations and how they work. Finally, in the world of practice NGOs themselves have often had an ambiguous relationship with the issue of management. While policy and funding pressures might have been expected to focus attention on management issues in NGOs, these pressures have tended to lead to the prioritisation of narrow questions of evaluation and impact than on issues of management more generally. For all these complex reasons, the relationship between NGOs and management is far from straightforward, and the issues require careful disentangling.

In this chapter I focus on development NGOs and consider three aspects of their relationship with management science. First, I explore the traditional ambivalence that many development NGOs have felt towards management and discuss the reasons for this. Second, I provide a brief overview of the fledgling field of “NGO management” itself, and outline some of its main concerns. In conceptualising the field, I suggest a composite approach rather than viewing it as a distinct area of management, since its practice requires a spirit of improvisation. This requires us to draw on ideas and practices from at least four related areas of management. Third, I conclude by making the case for mainstream management scholars to engage more fully with the field of NGOs than they have done before. NGO management is concerned with issues as such as sustainability, social values, cultural diversity and public ethics that are each areas of increasing interest to mainstream management theorists. The study of NGOs may therefore offer important insights into management and organising beyond management’s historical focus on the world of for-profit business in Western settings. It may also challenge some of the assumptions made by mainstream management science researchers.

The management science research base regarding NGOs remains rudimentary, at least compared to the extent of research that pertains to the private and public sectors. Furthermore, much of it is based on work that has been carried out by applied researchers or consultants funded by development agencies, who tend to be more interested in efficiency and effectiveness than in reflection and critical lessons. There are a number of practical guides and manuals aimed mainly at NGO staff, and these contain many useful insights. Some of them engage with some scholarly literature, but the primary aim is practical and normative. Where research *has* been carried out into the internal management and organisational development of NGOs, it has tended to be narrowly technical and prescriptive, and has paid insufficient attention to wider context and politics (Stewart 1997). It was not until early in the new millennium that development studies began to acknowledge the field of NGO management more fully with publication of a “reader” that drew together a diverse collection of academic and practitioner writings on the topic, later updated as a “companion” to NGO management (Fowler and Malunga 2010).

NGOs themselves may be reluctant to open up to scrutiny in relation to their management arrangements, which further contributes to this limited knowledge base. As research subjects, NGOs are not easy to get to know and may resist requests for access by outside researchers. This may be because they simply want to prioritise doing their work “on the ground”, or because they tend to disapprove of the idea of purely “academic” research aims. They may also be concerned about their position as organisations vulnerable to unfavourable publicity. The result of all this is that

Typical NGO literature is largely produced by insiders, has an activist flavour, presents simple solutions for complicated development dilemmas, depends heavily on jargon, and perpetuates many myths about NGOs.

(Nauta 2006: 149)

This somewhat pessimistic assessment is slowly changing, as NGOs have become a more widely recognised part of organisational worlds in most societies around the world.

### **NGOs as reluctant managers**

Development NGOs rose to prominence during the late 1980s and were initially viewed as important new organisational actors with potentially transformative power to change development policy and practice. NGOs could reach the poorest people with the services they needed, challenge structural inequalities through forms of organised citizen action and advocacy, and innovate new solutions to longstanding development problems. The research literature that emerged focused on this potential, identifying examples of different roles NGOs were playing, drawing attention to the diverse NGO forms in different parts of the world, their political ideologies and policy roles, and their relationships with the state and with donors. At the same time, there were also frequent critiques of NGOs by their detractors, who saw them as agents of privatisation, as ineffective dilettante groups of well-meaning “do-gooders”, or as disguised “fronts” for elite interest groups.

Comparatively little attention was given to management issues. NGOs themselves turned out to be reluctant managers, unsure about how far and at what level they should engage with the subject. There were two main areas of debate – *whether* NGOs should engage with management, and if so, *how* NGOs should engage with management. NGOs can be described as “reluctant managers” because it was common for them to view management as a distraction from the work that NGOs were supposed to be doing. There are six sets of reasons that explain why this has been the case: some financial, some ideological and some practical.

First, management was often seen as irrelevant. NGOs tend to prioritise a culture of action in which staff are mainly concerned with “getting out there and doing something”, particularly in



young organisations. When individuals try to mobilise people based on altruism they also prioritise “high moral purpose” over and above professional or technical experience (Korten 1987: 155). A second reason was ideological. NGOs attract people who are searching for “alternatives” to conventional thinking. Management is associated with the undesirable mainstream and rather too close to what Robert Chambers (1994) calls “normal professionalism”, an ideology that for development activists prioritises the wrong things: it gives preference to rich over poor, things over people and quantity over quality. As a result, some NGOs were observed to “actively espouse an ideological disdain for management of any kind, identifying with it the values and practices of normal professionalism, and placing it in a class with exploitation, oppression and racism” (Korten 1990: 156). Feminist theorists too have raised similar concerns around power and the social validation of knowledge and suggest that the challenge for effective NGOs is “to achieve a kind of professionalism shaped according to their own models and principles, rather than those uncritically adopted from business, for-profit organizations” (Smyth 2002: 114). Management, in short, is part of the domain of neoliberalism, and can be viewed ideologically as the driver of “managerialism” to which much of the NGO community is opposed.

Moving to questions of resourcing, the problem of “overheads” is another issue that can lead to a deprioritisation of management. There is considerable government and public pressure on NGOs to use their funds primarily to work with people in need, rather than spending money on core management costs. The “powerful public myth that development should be cheap” (Smillie 1995: 151) has produced a tendency to take low NGO administrative overheads as a proxy for judging NGO effectiveness. Some observers suggested this was one contributory factor to Oxfam’s problems when in February 2018 allegations of sexual misconduct were made against some of its staff in Haiti and elsewhere, leading to concerns about a general lack of effective safeguarding systems in the international NGO sector as a whole (Channel 4 2018). A fourth reason is that when an NGO is successful, it may focus on organisational expansion at the expense of upgrading its management systems, resulting in “unplanned growth”. During rapid growth and change, it may find itself one step behind in its thinking about organisational responses. Most NGOs start out as small, informal structures in which management issues could often be dealt with on an *ad hoc*, informal basis, but beyond a certain size this becomes impossible.

A fifth reason is that external donor pressures can produce resentment around management. As NGOs have grown closer to funders, they have been required to develop new accountability systems, and their efficiency and effectiveness may be questioned. This may create strong and unwanted “professionalising” pressures on NGOs (Smillie 1995). These may generate resentment that too much of the impetus for thinking about management – as in the case of the logical framework tool – is externally driven or even imposed. This is gradually beginning to shift, with organisations choosing to develop their own distinctive approaches to defining and assessing the effectiveness of NGO advocacy work, for example (Coe and Majot 2013). Finally, a sixth reason is simply the diversity of NGO orientations, forms and structures, which makes it difficult to build generalised insights about management. When the category of development NGO includes small informal groups as well as large hierarchical agencies, there may be little common ground to be found in thinking about how they are managed. Furthermore, the management challenges faced by NGOs engaged in advocacy are likely to be very different from those primarily focused on service delivery. Each of these factors contributes to a sense in which NGOs can therefore be characterised as “reluctant managers”.

## The past: debates around NGOs and management

Once past these hurdles, there is debate about *how* NGOs should best engage with management issues. These have been broadly polarised around two main positions. One position views

NGOs as alternative sites of organising that need to be wary of “management” both as an idea and as an ideology. A well-grounded fear exists that mainstream systems of control and trends towards professionalisation could damage distinctive NGO values and creativity. NGOs saw themselves as well placed to engage with new and “alternative” management practices, such as empowerment, participation and other bottom-up approaches.

David Korten (1987) identified a set of “alternative management approaches” that he argued should be a priority for development NGOs interested in rethinking ideas about management. Influenced by the participatory ideas of Robert Chambers and others, these were tried to address problems that had become apparent within the existing top-down approach. Korten (1987: 156) spoke of “a new development professionalism”, in which

Rather than supporting central control, [these NGOs] . . . support self-assessment and self-correction driven by a strong orientation to client service and a well-defined sense of mission. Highly developed management systems provide rich flows of information to facilitate these self-management processes.

An example provided by Korten was the evolution within NGOs of an existing “hand-me-down” concept of “strategic planning” (in which a specialised planning unit in the organisation developed a largely static blueprint that was then often resisted by staff at other levels of the organisation) into the newer idea of “strategic management”. If undertaken properly, this was a consultative process to bring staff at all levels of the organisation into the identification and implementation of organisational choices.

The other position constructs NGOs as heroic and well-meaning organisations trying to do good, but generally disorganised and in need of improved organisational structures, management tools and techniques. New ways of thinking about management can be seen as a distraction, leading to a frustration with the way the idealism of people in NGOs, along with the growing expectations of funders and policy makers, often seemed to outstrip NGOs’ own understanding and practice of basic management skills. A “back to basics” view set out by Dichter (1989: 387) argued that development NGOs simply needed to be able “to walk before they can run”. He described the case of a young NGO in which leaders and staff were given courses in “participatory” leadership training by a well-intentioned development organisation when in his view what they really needed was far more basic, such as “how to set up and keep administrative, accounting, book-keeping, and record-keeping systems”. Similarly, Michael Edwards (1999) found in a study of NGO work in South Asia that lack of attention to “the basics” of management was an important contributory factor in the failure of NGO initiatives, such as selecting appropriate staff and local partners, maintaining a clear sense of purpose and goals, and maintaining good communications with clients and constituents.

Dichter’s (1989) central message was therefore that NGO management needed to start “plain” rather than “fancy”. A preoccupation with experimental, participatory development management styles should not be prioritised at the expense of more basic management tasks. For example, NGOs need to understand budgeting and personnel issues; they need to analyse the markets, legal framework and policy environment within which they operated; and they require a proper knowledge of how to maintain relationships, information systems and assets. Without basic management, they risk falling victim to what Freeman (1973) called “the tyranny of structurelessness”, a failure in organisational capacity in idealistic organisations that allows charismatic leadership and individualism to dominate, leading to the subordination of organisational aims to personal agendas.

There have been a number of dedicated centres established to provide specialised and appropriate support to NGOs seeking to strengthen their organisational foundations. The International NGO Research and Training Centre (INTRAC) was established in the UK in 1991. In the US,

the Institute of Development Research (IDR) in Boston provided new work on organisational issues for NGOs. In India the Society of Participatory Research in India (PRIA) has pursued NGO organisational training and research agendas. By the 2000s, NGO management as a theme became linked with, but also perhaps diluted by, renewed interest in civil society, public action and the rise of global citizen organisations such as Civicus. Despite the overall lack of research attention that NGO management receives, “a school of NGO management science” (Stewart 1997) did emerge in a modest way in the 1990s and continues to expand. For example, the Feinstein International Centre at Tufts University in the US currently provides a wealth of new research on NGO management centred on the humanitarian action field.

## Conceptualising NGOs and management

The sociology of organisations first set out basic theoretical distinctions between different organisational worlds. Specifically, Amitav Etzioni (1961) famously developed a tripartite basic typology of organisational worlds based on his concept of compliance that led to the theorisation of the non-profit or third sector as an idea. In his schema, business organisations were held together by the common pursuit of profit and government organisations by coercive state power, while a third sector was primarily bound by shared values. This broad “idea type” has some value, but the picture is far more complex today. NGOs vary significantly in terms of structure, orientation and operations, and there is increasing hybridity across all three sectors, as social businesses and quasi-governmental agencies proliferate in today’s public policy environment.

What are the key areas of management that need to be undertaken in NGOs? As Richard Holloway (2015) argues in a recent guide for the reflective practitioner, the main themes can be summarised as governance, human resources, financial resources, mission competence, external relations and sustainability. An appropriate response to these challenges requires specific knowledge of particular NGOs, which vary enormously. In the field of international development, NGOs are engaged on one or more of three basic tasks that need to be managed. These can be summarised as: (i) *delivery* of new or improved services to sections of communities that are in need; (ii) efforts to *catalyse* social, economic and political change processes at the level of society, groups or individuals, including through advocacy, campaigning and education; and (iii) building relationships that create synergies among different agencies and initiatives through *partnerships, coalitions and networks*. These are not simply organisational challenges in the narrow internal sense, but tend to be inextricably bound up with issues of organisational environmental and context.

One example is the tension NGOs experience between the pressure of external reporting demands made by donors and governments and the need to navigate the local community-level realities in which client needs have to be identified and met. Erin Beck’s (2017) study of Guatemalan development NGOs explores the contradictions and ambiguities that emerge from this: “as organisations generally accountable to external donors, NGOs face high demands for effective management, requiring central control and meeting pre-established objectives. These demands often run counter to the messy reality of interactions on the ground” (p. 23). The challenge for NGOs, as she shows in her account, is to render such contradictions productive for development. Another example is the transnational nature of international NGO advocacy work where various categories of organisational actors each with different values, motivations and constituencies seek to build networks based on the negotiation of shared norms and meanings in order to make it possible to undertake joint action (Keck and Sikkink 1999).

All this makes NGO management an extremely complex topic. Making sense of the relationship between NGOs and management studies requires a synthesis of ideas from four different fields of research and practice – business management, public management, development management

and third-sector management (Lewis 2014). If there is a field of “NGO management” then it is best viewed in composite or synthetic terms.

### **Mainstream management**

The study of management is a large and diverse field of research, with wide-ranging products that include theoretically informed academic research, normative texts, in-depth case studies and practical “self-help” books. Management has been characterised as “a mysterious thing in so far as the more research that is undertaken the less we seem to be able to understand” (Grint 1995: 3).

Management has been seen as a rational science in which improvements in efficiency could be produced by efforts to make the “right” changes to structures and processes. Early management science ideas drew on principles from military and engineering thinking, generating a view of management easily characterised as being mainly concerned with “planning, organization, command, coordination and control” (Morgan 1997: 18). Theorists such as F.W. Taylor (1856–1915), who developed the principles of “scientific management”, and Henri Fayol (1841–1925), who built a theory of “administrative management”, each conceptualised organisations primarily as logical machines that required systemic maintenance and that could be improved through fine-tuning. Issues of organisational growth and efficiency have remained central to mainstream management, which is primarily centred on the financial viability of the firm.

However, the real world of organisations, and NGOs in particular, is characterised by high levels of contradiction and ambiguity. For example, in his study of international and local NGO partnerships in India and Ghana, Willem Elbers (2012) discusses what he calls “the partnership paradox” showing that partnership practices are structured by a set of rules, but with powerful ambiguity around their meaning and application in practice. The use of chaos and complexity theory within management has provided a more appropriate conceptual framework with which to understand management dynamics than the rational modernist tradition. Order and disorder exist side by side, and organisational “success” depends upon an ability to manage the “chaotic edge” between disintegration and ossification. In the everyday worlds of organisational life there may be very little scope for predicting how managers and organisations will behave. The concept of “self-organisation” instead implies analysis of a process in which “the power, politics and conflict of everyday life are at the centre of cooperative and competitive organizational processes through which joint action is taken” (Stacey et al. 2000: 8).

A “critical management studies” (CMS) tradition emerged in the 1990s (Grey and Willmott 2005). This was aligned against the conservative or new right influences within management and against what is seen as the tyranny of “managerialism”. There are three common threads within critical management studies – de-naturalisation, anti-performativity and reflexivity (Grey and Willmott 2005). *De-naturalisation* refers to the need to challenge assertions about the existing order and its set of assumptions about “how things are” in order to avoid forms of closed thinking. *Anti-performativity* refers to the idea of challenging the assumption that management – and other social relationships – are simply concerned with maximising outputs from inputs. Instead, it seeks to bring more in-depth discussions of values, politics and ethics into management debates. Finally, *reflexivity* draws on thinking within the social sciences that seeks to understand the role of the observer or the position of researcher in the way in which knowledge is produced, rather than simply taking accounts of management and organisation as objective or fixed.

With regard to NGOs, two areas of bias can be found in the wider management literature. The first is a central concern with the management of commercial business. Not only does this bring a focus on finances and the bottom line, it also brings a set of tools and techniques that many feel are inappropriate to the world of non-profit value-driven organisations. Yet NGOs often make use of,

and adapt, private sector management tools and techniques. For example, CARE uses “scenario analysis”, a technique that reached the NGO sector some time after being developed as scenario planning within the commercial firm setting. It is used to identify and confront unexpected possibilities in order to clarify NGO roles and objectives. In a case study of CARE’s work in Sudan, a three-day workshop identified four alternative futures, each of which carried different levels of risk and hazard for the NGO’s work. These then informed a “strategic conversation” that moved from “what will happen” to “what if it happens”. This shifted managers away from the temptation to simply continue with a “business as usual” mode of operation towards a more proactive mode.

A second bias is mainstream management’s focus on Western ideas and models, when NGOs work predominantly within non-Western cultures and contexts. Based primarily on US and UK research, it continues to inform much of the neoliberal “technical” discourse of management and development. CMS carries an explicit intention to move beyond Western management ideas to explore other traditions, and to open up a set of reflexive methodological alternatives to scientific, positivist management research.

Of course, command and control types of management thinking remain important to some types of NGO work, such as humanitarian relief and emergency work in the context of natural disasters, where logistics play a key role. But for many NGOs this type of approach tends to run counter to the values that inform the organisation itself, which favour participation and consultation, and lacks the flexibility and subtlety required by the complex situations in which NGOs often operate. Furthermore, there is now less confidence among management theorists in these types of traditional management ideas. Earlier rational paradigms of controlled, organised activity have gradually given way to views that place more emphasis on uncertainty, rapid change and an absence of measurable, objective practice.

### ***Third-sector management***

NGOs are part of the larger family of so-called “third-sector” organisations that are neither part of the government sector, nor for-profit businesses whose *raison d’être* is the making of money. This third sector includes education establishments, pressure groups, religious organisations, trade unions, recreational clubs, community self-help initiatives and charitable welfare societies. There is now a body of academic research specialising in the third sectors of Europe and North America (Salamon et al. 2003) and a significant part of this work is concerned with organisation and management issues (Billis 1993, 2010; Anheier 2005). This has obvious implications for NGO management, since almost all third-sector organisations will arguably have at least some common management challenges.

Third-sector scholars have developed new theory, concepts and models to reflect the distinctiveness of management in the sector. For example, Billis and Harris (1996: 6) suggested “existing theories developed for other sectors went so far, but not far enough”. Billis’s Weber-derived theory of a third-sector organisation’s complex journey as it grows from the “associational world” into the “bureaucratic world”, and the basic structural problems that result – such as a lack of clarity around work roles during a transition towards increased task specialisation, or the challenges of managing paid staff alongside using volunteers – is a leading example. Taking issue with the life-cycle approach to organisational change, Billis’s work showed that there was nothing inevitable about how individual third-sector organisations change, offering practical insights into how complex organisational dilemmas and choices can be negotiated.

Charles Handy (1988) suggested that since third-sector organisations are primarily “value-driven” organisations, this poses distinctive management challenges. People work in these organisations from a variety of public and private motivations: a sense of altruism, an escape

route from dominant ideologies or gaining increased public status from being a member of a third-sector board. These assumptions drawn primarily from Western third-sector organisations in rich-country contexts are sometimes ethnocentric, however, and may not *always* be true in the case of the NGO in poor countries where foreign aid is a dominant influence. In some societies, NGO jobs may be highly prized since a job in a foreign-funded organisation can bring an employee significantly higher material rewards than the other forms of employment that are available in government or private sector settings.

Another important difference from the other two sectors is that there is no clear link between the providers of funds and the users of the services (Hudson 1999). In the private sector customers choose to select and pay for goods and services by comparing market prices, while in the public sector people can vote officials in or out of office. This generates distinctive management challenges such as difficulties in monitoring organisational performance, problems of managing multiple accountabilities, the need for creating intricate management structures in order to balance multiple stakeholders, conflicts between voluntarism and professionalism, the need to maintain sight of the organisation's founding values and the tendency for third-sector organisations to set vague organisational objectives. Research on NGO accountability, the role of boards of governors and the organisation of staffing and volunteering are all areas of management from which models and concepts developed in the wider third sector might be applied to development NGOs.

Finally, research on the third sector has increasingly engaged with the idea of hybridity. David Billis (2010: 3) comments on the growth of blurred boundaries between the public, private and third sectors in the UK, and defines hybrids in the third sector as “organizations that possess ‘significant’ characteristics of more than one sector (public, private and third)”. This is not, he argues, simply a question of having a mix of different organisational features but is also about the existence of “fundamental and distinctly different governance and operational principles in each sector”.

Third-sector research literature is primarily concerned with Western country contexts, and this means that it may not map directly onto NGOs that may work in other contexts, or originate in other societies, and may be ethnocentric. On the other hand, the contextual challenges of NGO work do not any longer (if indeed they ever did) fit neatly into distinctions between “developing” and “developed”, or “North” and “South”. For example, the hurricane which led to the disastrous flooding of the city of New Orleans in August 2005, and the inability of large numbers of its poorest residents to take action following evacuation warnings, provide a sobering example of the way in which the most vulnerable can be neglected even in the most “developed” of country contexts. Furthermore, the 2013 *Human Development Report* talks of changes within many developing countries within a “rising south” that produces around a half of the world's economic output, around one third higher than 1990 (UNDP 2013). With the rise of BRICS and non-traditional donors, the distinction around developed and developing-country contexts is increasingly open to question.

### ***Public administration/public management***

The third relevant related field of “public administration” concerns itself with the workings of bureaucratic organisations, the challenges of decentralisation and the nature of implementation and delivery of public services. Since the 1960s and 1970s, the field came under challenge from mainstream management as neoliberal policies gained ground around the world, and became transformed into “public management” (de Haan 2009). The “new public management” movement drew on principles derived from the private sector and was both ideological and pragmatic, favouring the use of markets to allocate public resources more efficiently.

Public management also emphasised the use of private sector management techniques, downsizing and privatisation. It transformed the process of government – which came to be



referred to more commonly as “governance” – by arguing that government itself did not need to carry out more than a basic set of functions, and could be kept at arm’s length, simply ensuring that other private and non-governmental agencies carried out specific tasks such as delivering services. Terms such as the “mixed economy of welfare” opened the door for an increased level of public contracting arrangements in many societies, not only with business but also with the third sector.

Influential ideas from public administration have found their way into the world of development NGOs. For example, Albert Hirschmann’s (1970) framework based around the ideas of “exit”, “loyalty” and “voice” as reflecting the range of people’s choices when faced with authoritative intervention – such as a project – has long influenced thinking around the issues of people’s participation, decision-making and policy processes. Issues of participation in projects can also be traced back to Philip Selznick’s influential study of the Tennessee Valley Authority. He identified these in the form of informal groupings within the organisation and in the powerful vested interests that existed outside the project (Selznick 1966).

Tools and techniques from the public sector have also influenced NGO work in development. Participatory learning and action (PLA) approaches, while strongly associated with NGOs, have longer-term roots in the public sector in South Asia, where many of these ideas took shape among government agricultural research extension institutions (Biggs and Smith 1998). New technologies have also begun to restructure some of the relationships between citizens and governments, and the limitations of new public management ideas have become more apparent. For example, problems emerged that included fragmentation of service providers and services, an insufficient supply of providers in many sector markets leading to insufficient competition, and a lack of policy coherence due to long chains between policies and their delivery. A shift towards more partnership and collaborative “relational” approaches to public management has occurred, although basic elements of new public management thinking still remain in place (Phillips and Rathgeb Smith 2011). Some now also argue that we have entered a new phase of “digital-era governance” in public management (Dunleavy et al. 2005).

### ***Development management***

Finally, the context in which NGOs operate, and the work that they do, brings us to consider the specialised field of “development management”. This is concerned with the organisation of development projects, policies and international aid in the context of developing countries. Unlike most business management science, development management focuses on the achievement of social goals outside the organisation, rather than simply on the internal objective of making a profit. It also takes as its focus primarily non-Western contexts far from the comfort zone of conventional management studies.

The new public management approach to administrative reform discussed above has also dominated public policy in many developing-country contexts. It informed structural adjustment aid conditionalities that were imposed by the World Bank and the International Monetary Fund (IMF) on recipient governments in the 1980s and 1990s. It included prescriptions for changing the way public sector management is organised, including the introduction of a “purchaser/provider split” in public service provision (including the use of NGOs to provide “safety net” programmes in countries undergoing adjustment), the increased use of agency contracting with NGOs in order to better link performance and incentives and stronger efforts to improve accounting transparency based on quantifiable output indicators. As these changes began to take effect, new roles were opened up for NGOs to become involved in service provision in the growth of “contract culture” (Turner and Hulme 1997).



As Elbers (2012) has shown, the managerialist view that managers – as distinct from other elements within an organisation – hold the key to positive change is open to question in the development sector. The implication that “development can be planned and controlled as long as the right management tools are applied” leads to the risk that “doing things right” may become more important than “doing the right things” (p. 175). Development management is therefore essentially political and cannot simply be reduced to a technical formula since it requires “the diagnosis of political contexts and organisational politics more than techniques” (Staudt 1991: 3). It is also complicated by the need to decide on and agree the development tasks and activities that need to be managed. These cannot easily be defined, because development is a wide-ranging, highly contested territory that includes economic growth, social welfare, resource redistribution, political process, empowerment and human rights.

Thomas (1996) suggests that development tasks involve four distinctive elements: (i) the directing of efforts towards external goals as well as internal organisational ones; (ii) an emphasis on influence and intervention in social processes rather than simply using resources to meet goals directly; (iii) a lack of agreement on exactly what needs to be done, leading to values-based debate and conflict; and (iv) the centrality of process and continuity, and not just task. The two views of management discussed earlier (top-down, instrumentalist as opposed to participatory, unpredictable) are not therefore mutually exclusive. In some circumstances the “command and control” variant of management is an appropriate one, while in other situations the participatory approach makes most sense.

### ***Issues arising from the synthesis***

The earlier debates around the role of management in NGOs are still running. Those who favour more attention to management ideas and systems still encounter colleagues who argue that this is less of a priority than the work itself. I interviewed a chief executive in a leading UK development NGO a few years ago who spoke of her move to the organisation during the mid-2000s as being mainly about the overhaul of basic management systems. She was surprised to find that the organisation had long paid insufficient attention to such basic matters as lines of decision-making and work role descriptions. She also reported a need to create a more “professional” environment in which it was not necessary for everyone to be involved in making every decision. Some argue that NGOs should draw on the idea of “good enough management” as a pragmatic, flexible, improvised approach and others suggest that many NGOs still do not pay close enough attention to the “nuts and bolts” of basic management.

Yet today there is clearer recognition among NGOs that management is important, and continuing efforts among development NGOs to improve management practice. There is also growing interest among management researchers to identify the distinctive features of how successful NGOs organise and what can be learned from those that fail. The increased attention paid to the management of NGOs has had both a positive and a less benign side. The issue of capacity development indicated a concern that NGOs in developing countries could, with the right kind of organisational support, strengthen their roles as development actors in providing services, build more democratic political processes and advocate for policy change and development rights. Yet this trend also brought the risk of increased managerialism through a proliferation of training initiatives and one-way forms of support.

### **The future: what can the study of NGOs teach management science?**

I have reviewed the main challenges around conceptualising NGO management. Three perspectives are apparent. The first is the *generic* management view that assumes that “management is

management” and that development NGOs should simply strengthen and improve their management by drawing strongly on mainstream business thinking. The second is the *adaptive* view of NGO management, where it is argued that while mainstream management may be relevant to development NGOs, it cannot be applied in a straightforward way – it needs adapting in the light of NGOs’ distinctive values, structure, culture and type of work. The third pushes further to argue for a fully *distinctive* view of NGO management. In this view it is suggested that managers of NGOs face a unique combination of challenges that are different from those encountered by other types of organisation. Appropriate organisational responses will therefore require further experimentation and research that engages with the real organisational worlds in which these organisations operate, and in ways that can generate new concepts, models and tools where necessary.

All three perspectives can therefore make potentially important contributions. In taking this approach forward, there is need for a “composite” model of NGO management that acknowledges two basic truths: (i) the continuing relative lack of available knowledge that exists of this subject field compared to other forms of management, and (ii) the need to view NGO management as a constantly shifting synthesis of management perspectives that is dependent on a range of complex factors linked to context and task. Within an improvisational process of building appropriate practice, NGO managers can draw on ideas from four areas: business management, public management, third-sector management and development management. The precise strategic management mix required will necessarily depend on a particular organisation’s mission, culture and values, and on the forces operating in its wider environment, such as the demands of donors, or the requirements of government.

What can the study of NGOs bring to wider management science? Viewing NGOs in the context of management science makes more visible two basic dimensions of management that exist in tension – the *expressive* and the *instrumental*. In other words, management reflects ideologies and values just as much as it is concerned with getting things done. For NGOs, as organisations that claim to have social values at their centre, the need to align what is being done with how it is being done in ways that make sense to the organisation, its funders and the people that it serves is a paramount concern. The tensions between those who argue whether NGOs should prioritise the work rather than the organisation of the work, or between those who argue that NGOs should build their own value-driven version of management and those who think they should simply take a management-is-management approach, or between those who suggest that NGOs should resist management because of its private sector origins and those who want NGOs to become more professional and learn from the latest business management tools and techniques – are each reflections of this basic conundrum. There are organisations that continue to express what they may see as important social values but make little impact (but may see their role as contributing to the social good of maintaining propagating such values within civil society), and there are organisations that achieve their goals using methods that are seen by some as inconsistent with their core values (such as the use of top-down logistics in responding to humanitarian emergencies). The tension of course can never be fully resolved, but it can be a creative one. It is also one that business, as it takes on social and environmental responsibility claims, is now also increasingly interested in balancing, if not resolving.

Cummings et al. (2017) argue for a more historically aware reconceptualisation of the field of management studies. They point to a number of problems. One is the dominant narrative of management itself, whose textbooks offer an over-simplified view of a slow transition from an emphasis on command and control towards greater recognition of social responsibility, sustainability and participation. In fact, they argue that a more nuanced reading of management history shows that its origins are as much linked to ideas about social and moral liberalism and the decline of slavery (cf. Adam Smith) as they are to neoliberalism, industrialisation and control. Furthermore, rather than

being a new idea, the concept of “sustainability” can be traced back to earlier classical management ideas such as Taylor, where the original goals of management were not only conceptualised in terms of “greater efficiency” as suggested today in the textbooks. Recent claims that management is about more than simply the “mechanistic-industrial worldview” (2017: 8) based on controlling, planning, directing and organising and should become more alert to contingency, culture, systems thinking and sustainability have a long history – and this should be reassuring to those seeking to strengthen the links between management studies and NGOs.

A second problem with management science has been that of ethnocentrism, and engaging with the subject of NGOs can help to challenge this. Compared to, say, architecture or medical history, the bulk of scholarly work on management science has been narrowly confined to the UK and US and therefore strongly lacks in geographical and cultural diversity. We need to be more critical of “the limited, uncultural way in which we have recorded the field’s past” (2017: 4) which is limiting because it closes down creative thinking about “what management could be” (2017: 7). When it comes to organisational studies, what Weber teaches us is not that bureaucracy is great, but that contingency is important since forms of organisation emerge out of specific contexts and there is no one-size-fits-all. Finally, the emergence of ideas about “culture” in management has been naïve and prescriptive owing to the way the corporate culture concept was haphazardly “stitched together” and tend to be overly normative rather than based on how organisations actually are. The world of NGOs makes it possible for management science to engage with more geographically and culturally diverse words of organising.

For example, Crutchfield and Grant (2007: 35) studied twelve successful organisations and looked at how they went about managing their work. Their findings challenged some of the conventional management assumptions about improving internal systems as the key to improving effectiveness:

The secret to their success lies in how high-impact nonprofits mobilize every sector of society – government, business, nonprofits, and the public – to be a force for good. In other words, greatness has more to do with how nonprofits work *outside* the boundaries of their organizations than with how they manage their own *internal* operations. The high-impact nonprofits we studied are satisfied with building a “good enough” organization and then focusing their energy externally to catalyse large-scale change.

The study of NGOs can therefore feed usefully into wider management science, just as NGOs themselves draw on and synthesise from other fields. NGOs will increasingly become a field in which increased experimentation and innovation will occur in relation to management – and therefore seem likely to attract more attention from management theorists in the future.

Despite the ambiguous relationship, concerns about management preoccupy NGOs more and more as they seek to consolidate and build their roles in the changing global context. For example, a recent report on international NGOs working in humanitarian settings set out key management challenges for organisations working in the context of increased global instability (IARAN 2017). It concludes that “INGOs need to analyse where they can optimize their activities through restructuring, refocusing, or partnerships to increase their impact” (p. 38). It suggests also that NGOs risk being increasingly side-lined by “more efficient, adaptable actors – from the private sector, religious groups, local civil society and armed forces” if they do not review governance structures and become prepared to operate over the long term. It suggests five types of future organisational profile for international NGOs: as franchised partners, linked through a global brand; as primarily donors, gathering funds for a cause; as direct implementer “fire-fighters”, specialising in emergency response; as communalised resources within a wider

network; and as service providers for hire in support of local and regional humanitarian actors. Questions of how NGOs should best manage themselves continue to matter as NGOs struggle to survive in a changing world of international development and humanitarian action.

## Conclusion

Despite the attention that NGOs today receive, understanding about how they work as organisations is far less developed than for organisations in other sectors. Since the 1980s when NGOs became seen as prominent actors in international development and public policy, the relationship between NGOs and management has been debated. These days NGOs cannot easily dismiss the importance of management for ideological reasons, since it is a diverse and varied field containing critical as well as mainstream traditions, nor can they convincingly prioritise action and delivery over organisation, since these are inextricably linked. Yet if there is such a thing as a sub-field of “NGO management” this should be seen as a composite rather than a distinctive variant.

The work of Bruno Latour within the field of science studies offers a view that “redefines organisations as assemblages of ordering practices in perpetual transformation” (Brown 2011). Latour’s “actor network theory” (ANT) has served as a productive approach that shows how development actors – such as NGOs – are engaged in constructing order through “political acts of composition” (Lewis and Mosse 2006: 14). A view of NGOs as “brokers and translators” moves NGO management beyond the technical by conceptualising it as an active process of constructing meaning as well as a system of practice. Such a perspective highlights the ways organisations operate within a world of hybrid interests and practices, in which boundaries between organisations and communities are rarely clear, and the messiness of everyday practices precedes the ideas and practices of development that are represented formally.

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# NGOs in international law

## Reconsidering personality and participation (again)

*Math Noortmann*

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### 1. Introduction

“NGOs irritate classical legal scholarship” (Dupuy 2008: 204). Pierre-Marie Dupuy’s provoking opinion provides a perfect opening for a critical, interdisciplinary discussion of the legal discourse on NGOs *in* international law. Non-governmental organizations are indeed a bit of a nuisance when one tries to properly position NGOs in (the debates on) international law. The problem is the dogmatic distinction between ‘personality’ and ‘participation’ (Shaw 2008), which mainstream international legal scholarship subscribes to in one way or another. The few mainstream legal scholars that refuse to ignore NGOs in international law are ‘forced’ to (1) carefully circumvent the orthodoxy of international legal personality and adopt such tenuous concept as ‘legal status’ (Nowrot 1998; Lindblom 2005; Rossi 2010; Ben-Ari 2013) and/or (2) adopt a soft socio-legal version of NGO participation that focuses on roles rather than rights and responsibilities (Charnovitz 1996; Wedgwood 1999).

I will argue that that paradigmatic distinction between law and politics or between international legal orthodoxy and socio-legal approaches is not conducive to the understanding of the thespian complexities in international law and its supporting legal system. By separately focusing on either (political) participation or (legal) personality, the state-oriented understanding of international law is reinforced, which leaves little room for alternative, non-state, law-making conceptions.

In this chapter, I will critically reflect on the interconnectedness of the concepts of personality and participation. For the sake of argument, however, I will discuss the two concepts separately; stressing the ‘political’ in international legal personality (section 2) and the ‘legal’ in political participation (section 3).

This chapter is informed by my understanding:

- (1) that what is known as *international* law has developed beyond Bentham’s original conceptualization as the law *between* nations,
- (2) that non-state actors, including non-governmental organizations, contribute in mysterious ways to international law as it *is*, and
- (3) that law-makers, judges and scholars are not prevented from taking the practices and opinions of non-governmental organizations (NGOs) into account when interpreting and determining international law (see Noortmann 2001, 2015).



This chapter is therefore not a mere iteration of the state of the art on NGOs in international law, but seeks to contribute to the development of the discourse on NGOs in *international* law and to the further conceptualization of *transnational* law as an all-inclusive legal arena beyond the national and the international.

I will discuss international legal positivism's approaches to NGOs and its alternatives in detail in section 2 of this chapter on the politics of legal personality. In section 3, I discuss the legal implications of participation by looking at 'formal and informal participation', 'participatory rights and obligations' and 'inclusive law-making'.

Throughout this chapter, I will adhere to a transdisciplinary approach, because as Julian Webb (2006) rightly contents, "Law and Sociology" is not enough" and complexity has risen beyond that level of understanding. Transdisciplinarity distinguishes itself from interdisciplinary approaches like law and sociology in that "theories, concepts and methods are *not* borrowed from one discipline and [simply] applied to other disciplines interested in the same problem" and that it not only crosses disciplinary boundaries but also "sectors of society by including stakeholders in the public and private domains" (Repko 2008: 15).

## **2. The politics of international legal personality: legal positivism and its counter-narratives**

There is little doubt that "[I]f one tries to define the precise extent of the legal personality . . . one enters a very controversial area of the law" (Malanczuk 1997: 91). First of all, there is a perceived paradigmatic gap between legal positivism on the one side and alternative legal outlooks such as the policy-oriented approach, transnational legal process and critical legal perspectives on the other with respect to the (legal) status of non-state entities in international law. But within these competing outlooks, there are significant differences and sometimes similarities with respect to the question which non-state entity should be accepted as an international legal person: when, how and for what reasons. NGOs provide the most compelling case study to demonstrate that the debate is "riddled by controversy" (d'Aspremont 2011: i); both legally and politically.

The problem with respect to international legal personality is twofold. First of all, international law contains "*no written* provisions that unambiguously determine who has legal personality" (Nollkaemper 2016: 46). And in the absence of this important source of international law, international legal scholars can traditionally only invoke 'international custom', 'general principles of law', 'judicial decision' and 'teachings of the most highly qualified publicists' as generally accepted foundations for their legal arguments (see Article 38 of the Statute of the International Court of Justice).

In the prevailing and pervasive legal positivist approach to international law, NGOs are not considered to be international legal persons or subjects of international law (Oppenheimer 1967; Aust 2005; Shaw 2008; Lindblom 2011; Nollkaemper 2016). The study of NGOs in international law is therefore often more socio-legal than legal, concentrating on the development of international law and on 'legal status' instead of 'legal personality' (Lindblom 2011: 524).

Other perspectives on international law such as the policy-oriented approach (Chen 1989; Suzuki 2015), critical legal studies such as feminism (Charlesworth et al. 1991) and third-world approaches (Rajagopal 2003), and the concept of transnational law (Jessup 1956; Koh 1996) challenge that traditional approach in different ways. These approaches are not always wholly consistent in their critique of the state-centred exclusiveness of international law and related questions of legal personality and participation. And for the purpose of a chapter on NGOs, one must be equally critical of these alternative inter/transnational legal paradigms.



### ***Legal positivism: no international legal personality for NGOs . . . or?***

International law's mainstream discourse on international legal personality is still very much in the late 18th century when Jeremy Bentham introduced the term 'international' and conceptualized 'international law' as the 'law *betwixt* states' (Bentham 1781). This resulted in the long-lasting idea that "states solely and exclusively" are the subjects of international law (Lauterpacht 1955: 19). That absolute and extreme positivistic position on international legal personality is no longer upheld by contemporary international legal scholarship. Today's international law handbooks recognize in many different ways the observation of the International Court of Justice in the *Reparation for Injuries Case* that: "The progressive increase in the collective action of states has already given rise to instances of action at the international plane by certain entities which are *not* states" (ICJ, 1948). As a consequence, a variety of non-state actors are introduced to the students of international law, including intergovernmental organizations, multinational companies and armed opposition groups. The legal personality of these non-state actors is considered under such telling headings as "other subjects", "special cases" and "anomalies" (Wallace 2006; Shaw 2008; Klabbers 2013).

NGOs, however, do not share the same attention. In most cases, NGOs are either utterly ignored (Shaw 2008; Dixon 2013), or merely favourably mentioned (Klabbers 2013). Occasionally, however, international legal personality for NGOs is categorically denied (Charnovitz 1996; Nollkaemper 2016). But the idea that NGOs' "legal subjectivity cannot be totally negated is truly exceptional in international legal discourse (Hobe 1997; Hobe 2004: 103–104).

In Hobe's opinion, roles and responsibilities cannot be decoupled, and the functions of NGOs should be taken into account when determining the extent of NGOs' international legal personality (Hobe 1997: 102). The idea that international legal personality has become a "pragmatic concept or tool" in order to determine who "exists 'in the eyes of international law'" (Nijman 2004: 456) is not new. In fact, legal personality is a legal fiction that makes legal interactions between various entities possible; it provides for legal standing. The question who has and who has not what kind of standing to enter into contracts, claim rights or be held accountable, and under which conditions is definitely a political one. The question who determines whether a specific organization or generic group of organizations has legal personality then becomes pertinent. Lindblom, who prefers the term 'legal status' over 'legal personality' when referring to NGOs, is very clear when it comes to the how and why of the determination of that legal status of NGOs:

the international legal status of NGOs is the sum of all the rules and practices laid down by states and IGOs for their interaction on the international plane with NGOs . . . ways to strengthen the legitimacy of the state-centric system needed to be considered.

*(Lindblom 2011: 514)*

In that, Lindblom's 'legal status' does not differ from international legal personality which "can only be deduced from [state] practice" (Nollkaemper 2016: 46). But where non-governmental organizations participate in intergovernmental organizations and international law with the acquiescence of states only, the determination of international legal personality is wholly political.

Where legal personality can be considered to be a necessity for organizations in order to be able to enter into contractual obligations or make legal claims, legal personality is of no importance to law-making (in the formal sense of the word) above and beyond specific contractual, i.e. consensual engagements. In many respects, international law is of a contractual nature (notwithstanding the confusing and misleading qualification 'public') (Noortmann 2006). One

could formally argue that it is up to the contracting partners (states) to determine who can enter the circle of contractors, which would be the ultimate international legal argument.

### ***Alternative legal paradigms: bringing NGOs back in***

Legal positivism is without any doubt international law's mainstream outlook. Its state-centred perspective and the related (qualified) denial of accepting international legal personality for different kinds of non-state entities has met within considerable intellectual opposition. Most notable for the discussion on non-state entities and international legal personality are: the policy-oriented approach, the concepts of transnational law and transnational legal process, and the critical legal perspective. Staying within the good tradition of intellectual opposition, these outlooks are less unified as its mainstream foil, which justifies discussing them separately.

#### ***The policy-oriented approach***

The policy-oriented approach is the most intellectually sophisticated and most advanced critique of legal positivism conception of international legal personality. Policy-oriented scholars reject the idea that there exist "appropriate 'subjects of international law' (nation-states, international governmental organizations) [which] are arrayed against 'non-subjects' (individuals, private associations, political parties, pressure groups)" (McDougal 1956: 50). From its very inception, the policy-oriented approach considered international law as an ongoing process of authoritative decision-making that includes a wide range of 'participants'. "To rely on the subject-object dichotomy that runs through so much of the writings" is, according to Rosaline Higgins, "not particularly helpful, either intellectually or operationally" (1994: 50). Instead of adhering to the exclusive notion of international legal person, the policy-oriented approach refers to 'participants' which reflects the policy-oriented school's basic understanding that international law is an all-inclusive authoritative decision-making process. Unfortunately, the first generation of policy-oriented scholarship has not been very rigorous in including all participants in their policy-oriented interpretation and analysis (McDougal 1956). Contemporary policy-oriented scholars like Michael Reisman (2013), Siegfried Wiessner (2004) and Lung-Chu Chen (1989) pay proper attention to NGOs as participants in that process of authoritative decision-making.

From a policy-oriented perspective, NGOs are appraised on the basis of a set of specific values (respect, power, enlightenment, well-being, skill, affection and rectitude) and decision functions (intelligence, promoting, prescribing, invoking, applying and terminating) that are deemed essential in a participatory and policy-oriented law-making process (Chen 1989; Suzuki 2015). According to Chen, the values pursued by NGOs "extend to each of the basic values", but different NGOs may pursue different values (Chen 1989). Similarly, NGOs are considered to differ in their participation in the overall decision-making process. Most NGOs perform intelligence, promoting and invoking functions, while some play a role in application and only very few participate in the prescribing arena (Chen 1989: 69–73). According to Wiessner, the participatory role of NGOs, especially with regard to the application function, comes with responsibilities in terms of legitimacy, transparency and accountability (Wiessner 2004: 99). In this respect NGOs do not differ from states according to Wiessner (2004: 100).

#### ***Transnational law***

For the purpose of this section, the transnational outlook signifies two distinct viewpoints: that of 'transnational law' and that of 'transnational legal process' (TLP). These conceptions have in

common that they move away from Bentham's suggestion that there is only national law and international law; that there is only law *within* states or *between* states. With respect to the latter, Philip Jessup, who is credited for coining the term 'transnational law', opined that:

[T]he term 'international' is *misleading* since it suggests that one is concerned only with the relations of one nation (or state) to other nations (or states). Part of the difficulty in analysing the problems of the world community and the law regulating them is the lack of an appropriate term for the rules we are discussing. Just as the term 'international' is inadequate to describe the problem, so the term 'international law' will not do.

(Jessup 1956: 1)

Jessup saw a new set of rules emerging from the interaction between states and non-state entities. Instead of redefining 'international law' as an all-inclusive area of law, Jessup proceeded to conceptualize another legal realm based on cross-border legal interaction between states and those non-state entities. That conceptualization of a third, *transnational* legal arena is quite compelling, which led Scott, for example, to qualify transnational law as a new legal 'proto-concept' (Scott 2009).

Jessup explicitly referred to NGOs to make his case: if "[o]ne considers that there are also in existence . . . over 1,100 non-governmental organisations commonly described as international, one realizes the almost infinite variety of *transnational* situations which arise" (Jessup 1956: 4). The actual empirical focus of the scholarship in transnational law, however, is largely on legal transactions between states and commercial non-state entities. As such, transnational law is in a different sense as equally exclusive as legal positivism. The disregard for NGOs is a direct consequence of the predominant focus on cases of private law and trade disputes and corporations as their principal non-state entity (Tietje et al. 2006; Zumbansen 2006). In order to avoid transnational law becoming a different kind of exclusive legal arena, transnational legal scholars need to start including such non-state entities as NGOs in their analysis and interpretations of transnational law.

Closely related to Jessup's transnational law is the concept of the TLP. In the words of Harold H. Koh (1996), transnational legal process:

describes the theory and practice of how public and private actors – nation states, international organisations, multinational enterprises, non-governmental organizations and private individuals – interact in a variety of public and private, domestic and international fora to make, interpret, enforce and ultimately internalize rules of transnational law.

Theoretically, TLP is difficult to position as it incorporates characteristic features from different approaches. In highlighting the interaction, TLP is clearly process-oriented and is more socio-legal and interdisciplinary oriented. But where NGOs' 'interaction' with others is considered "to make . . . rules of transnational law", that specific interactive political participation has more of a transdisciplinary nature in the sense that it creates new rules of transnational law. TLP writings are not very conclusive in this respect and tend to go towards an interdisciplinary socio-legal approach rather than a transdisciplinary politico-legal approach.

### *Critical legal studies*

Contemporary 'critical legal studies' (CLS) is to be considered as a critique within international law and not so much of a critique of international law as the policy-oriented approach and transnational law are. CLS comprises a number of critical legal approaches that differently address

the intrinsic (political) biases and inequalities in the doctrines and practices of the (international) law. CLS scholars question the “emancipatory role” of international law and explore, inter alia, the “counter-hegemonic use of international law by NGOs” (Pureza 2005). With respect to the ‘role’ of NGOs in the practices and doctrine of international law, feminism (Charlesworth et al. 1991) and the ‘Third World Approach to International Law’ (TWAIL) (Rajagopal 2003; Chimni 2006) are the most outspoken critics, but also the most critical ones when it comes to both the role and legal position of NGOs.

TWAIL is broadly critical of the “narrowly focused” concept of NGO and argues that the trend towards the “NGO-ization of civil society . . . severely limits its radical democratic potential” (Rajagopal 2003: 260). For that reason TWAIL scholars prefer the broader term ‘social movement’ (Rajagopal 2003; Chimni 2006: 261). With respect to NGOs in international law, Rajagopal (2003) is extremely clear:

In analysing ‘global’ or ‘transnational’ civil society, the role of NGOs becomes [unexpectedly, *mn*] important. This raises problematic issues concerning a western bias in the NGO world and in the very constitution of ‘global’ spaces, including international law.

Rajagopal’s critique is not uncommon in the wider NGO discourse as NGOs are no longer perceived as intrinsically good, and consequentially questioned in terms of accountability and transparency. One must also point out that the term NGO technically includes all organizations that are not governmental and that even with the limitation that they may not pursue profit, not all organizations are properly organizations that represent broad civil society interests (environment, education, health) but which represent singular interests (e.g. professional and corporate associations).

Feminist approaches seek in general “to expose and question the limited bases of international law’s claim to objectivity and impartiality” (Charlesworth and Chinkin 2000). The idea that international law is in many respects inherently biased against women springs from the fact that international law is conceived and developed as ‘public’, ‘international’ and ‘law’ which stands in binary opposition to the ‘private’, ‘local’ and ‘global’, and ‘non-law’. These defining binaries are not mere inventions of scholarly feminist fetishism (but see Fellmeth 2000) or part of a ‘Great Conspiratorial Premise’ (Teson 1992). Even if these binaries are socially constructed and susceptible to change by critical agency, it cannot be said that these do not constitute ‘real’ social, political and legal ‘glass ceilings’.

The positive feminist attitude towards NGOs is grounded in the feminist perception of international law’s anti-emancipatory biases and the role that (women) NGOs have played a historical part in the feminist struggle. But feminism and NGOs is a tale of two stories. The role of NGOs in the feminist struggle makes feminist scholars generally less critical towards NGOs (Noortmann 1995) and the positioning of feminism as a critique *within* international law also subjects feminism to the predominance of the concept of international legal personality.

### ***Global governance and legitimacy as (legal) counter-narratives?***

The socio-political discourse on NGOs is riddled with concepts like accountability, legitimacy and (global) governance, which are touched upon in issues of (international) law.

The accountability of NGOs is increasingly discussed by academics in the social sciences and practitioners. To the extent that the seminal works of Hulme and Edwards, and Jordan and van Tuijl (Hulme and Edwards 1995; Jordan and Van Tuijl 2006), have set the tone for the debate, there is little indication that ‘accountability’ was conceptualized in terms of (international) law (Blendell 2006).

In his monograph on non-governmental organizations in world politics, Peter Willetts devotes a whole chapter to “the status of NGOs in international law” (Willetts 2011: 64). While his book is mainly concerned with NGOs in global governance and their influence on global political decisions, he concludes that “NGOs *have* international legal personality” (Willetts 2011: 83). That conclusion is based on a number of different, rather empirical prepositions, such as:

1. “a few NGOs are anomalies in being equal to states”
2. “NGOs have special roles in procedures”
3. “a few high-status NGOs participate in intergovernmental committees”
4. NGOs “have legal rights alongside states in hybrid international organisations”.

(Willetts 2011: 83)

Willetts is correct in stating that “NGOs . . . are participants in the international legal system” and “states are not the only legitimate diplomatic actors” (Willetts 2011: 83), but these observations do not inductively lead to his conclusion. His observations are exceptions in international law, which cannot be turned into a rule of international law. Mere participation, as we will see hereunder, is not enough to establish international legal personality and the proposition that “all ECOSOC NGOs gain legal personality when they are accredited under the consultative arrangements” (Willetts 1982: 83) is in my opinion simply false.

That brings us to the concept of ‘legitimacy’, which according to one definition “is bound up with the notions of recognition and as such is more often a political matter than a strictly legal one” (Spence 1998: 302). Erla Thrandardottir and Vincent Keating, however, have recently argued that the “de facto legitimacy” of NGOs should be matched by “de jure legitimacy at the international level” and that the focus on the socio-political legitimacy of NGOs prevents us from investigating the “potential for INGO de jure recognition in international law” (Thrandardottir and Keating 2018: 11). De facto and de jure recognition are well-known concepts in international law to determine the legal status of territorial entities; i.e. to determine whether the territorial entity in question fulfils the criteria of statehood and would become, *ipso facto*, a subject of international law.

Equating the (legal) status of NGOs under international law with that of states misunderstands the international legal relationship between states and international law as a contractual legal system (see above). Whether the application of “charitable principals derived from English law” (Thrandardottir and Keating 2018) works in the international arena in order to determine which INGOs are eligible and which are not must be doubted from a legal point of view. As I suggested elsewhere, the determination of international legal personality for NGOs (if at all) ought to be resolved on an individual, *ad-hoc*, and functional basis rather than a generic template that is used in national legal systems.

### 3. Participation and its legal implications: moving beyond a socio-legal conception

‘Participation’ is somewhat of an eccentric concept in the discourse of international law. The term was popularized by the policy-oriented approach to avoid the exclusive and discriminatory term ‘subject’ and to make our intellectual inquiry into the process of decision-making in international law more inclusive. In that sense ‘participation’ was at the same time a socio-legal, political and normative concept. It seems that in contemporary debates in international law, ‘participation’ has lost much of its value leadenness and merely functions as an alternative for the concept of ‘non-state actors’ (d’Aspremont 2011; Suzuki 2015). The mainstreaming of the term

‘participation’ has in my opinion not contributed to a better understanding of the actual participatory practices of non-state actors in general and the legal consequences of these practices. ‘Participation’ as a socio-legal concept may contribute to our understanding of the contribution of NGOs in the process of decision-making in international law, but has no bearing on their actuality in the making of international law or the existence of NGO rights and obligations under general international law.

In order to bring NGOs into a discourse of legal accountability and law-making, it is necessary to (1) *not* see all NGO participation in the international legal system as a socio-legal, process-oriented phenomenon, and requalify some ‘participation’ as legal and (2) understand law-making as inherently *politico*-legal and not just the result of a *socio*-legal process. In order to do so, first of all we have to appreciate the various ways in which NGOs formally and informally ‘participate’ in the international legal system. I submit that NGOs practising international law come with rights and obligations and can impact directly upon the making of international law.

### ***Formal and informal participation***

When discussing the ways in which NGOs participate in the international law, we must distinguish between the formal recognition of their participation and the formal regulation of that participation by the (inter)governmental gatekeepers of the international legal system on the one hand, and participation in the absence of such officially validated status on the other. In the latter case, NGOs would still fall within the ambit of international law as they, in terms of the policy-oriented approach, promote, invoke or apply rules of international law.

The first clear recognition of NGOs in an international agreement was in Article 71 of the Charter of the United Nations, which stipulates that:

The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned.

This formal recognition and its subsequent regulation of the ‘arrangement for consultation’ departs from the informality that characterized NGO participation in the League of Nations and the absence of a formal recognition of NGOs in the Covenant of the League. The change from informal participation to formal recognition and regulation of NGOs by states and intergovernmental organizations has always been the subject of some critical questioning, which pointed out the dangers of co-optation (Noortmann 2004), and a culture of “subservience and contract” (Donini 1995: 437).

The recognition of ‘national Red Cross organizations’ in Article 25 of the Covenant of the League of Nations evidenced that some NGOs are recognized more than other NGOs. That evidence is also found in the fact that NGOs like the International Committee of the Red Cross (ICRC), the International Federation of Red Cross and Red Crescent Societies, the Inter-parliamentarian Union, the International Olympic Committee, the Sovereign Military Order of Malta and the International Chamber of Commerce are recognized as “Observers” by the UN General Assembly. That (political) status is considered considerably higher than the “Consultative Status” awarded to (ordinary) NGOs by the UN’s Economic and Social Council. While those observer statuses have been granted relatively recently, these ‘NGOs’ have always been the subject of explorative legal studies with respect to their ‘legal status’ (Vedder 1984; Gazzini 2010).

The recognition of NGOs by intergovernmental organizations and in international agreements has increased and the question as to how this affects their political and legal standing remains pertinent. Critical examples are the general recognition of the (roles of) NGOs in art. 4.2 (consultation and cooperation) of the Agreement establishing the World Trade Organization; art. 6.3 (assistance) and art. 6.7.f (implementation) of the landmine treaty; art. 15.2 (information) and 44.4 (expertise of the Statute of the International Criminal Court), and the preamble (raising awareness and implementation) and art. 16 (assistance) of the arms trade treaty. On the basis of these recognitions, NGOs can formally ‘claim’ and ‘practise’ participation; referring directly to a stipulation in an international legal agreement notwithstanding the fact that the agreement is one *between* states.

In addition to these instances of general recognition, NGOs and states may enter into specific bilateral agreements or contracts with respect to the settling of a dispute or establishing diplomatic immunity. Examples are the arbitration cases between Greenpeace and France concerning the sinking of the Rainbow Warrior and the so-called mixed environmental disputes, or the diplomatic immunities arrangements between the ICRC and Switzerland or the Regional Environmental Centre for Central and Eastern Europe and Hungary.

Where NGOs are not specifically recognized in international legal regimes, such as the United Nations Convention on the Law of the Sea, or have not entered into specific contractual arrangements with governments, they may still invoke international rules coming from that international regime and/or trigger international legal disputes through their activities.

### ***Participatory rights and obligations***

The debate on the rights and obligations of NGOs in international law is a peculiar mix of dogmatic generalizations on the one hand and detailed overviews of rules and case studies on the other. The latter can be seen as a reaction to the still dominating opinion that in order “to ascertain the rights and responsibilities of NGOs, one has to look outside the realm of international law” (Charnovitz 1997: 338), because “NGOs have no obligations or duties under international law” (Nollkaemper 2016: 52).

There is increasing recognition in contemporary international legal studies, however, that there are “organisation rights in international law” and that the “obligations of NGOs constitute an area of law which is new and possibly still under development” (Lindblom 2011: 139, 140). While the discourse on NGO accountability has gained considerable traction in the social and political sciences, and the NGO community (Edwards and Hulme 1996; Jordan 2005; Blendell 2006), the development of the study of international legal accountability for NGOs not only suffers from ‘the lack of international legal personality’ but also from a hesitance to submit the international actions of NGOs to international legal scrutiny.

The limited discussion in international law seems to point in the direction of a clearer alignment of the different participatory arrangements as suggested above and sets of rights and obligations. Thus, different NGO rights and/or obligations under international law can be found in different participatory settings: individual ‘cooperative’ agreements; specific NGO stipulations in international treaties; and the general rules of international law.

Examples of ‘individual cooperative agreements’ include arrangements under Article 71 of the UN Charter and ECOSOC resolution 1996/31 which lays down both the rights and duties of NGOs which have opted into the UN’s consultative status scheme. The right to access UN premises, issue declarations and speak in UN meetings finds its compulsory counterpart in the obligation to “contribute to UN objectives”, “act in accordance with” and “not abuse” its status. As such, these ‘contractual’ rights and obligations are not controversial. Controversial is



the application as evidenced in the revoking of the Consultative Status of Christian Solidarity International (CSI) by the United Nations in 1999. While it remains unclear whether it was CSI's "slave-redemption programme" or CSI allowing John Garang to take the floor in a UN meeting that caused the UN to hold CSI accountable, it is clear that the decision was highly political with legal consequences. According to the representative of Lesotho: "the NGO's actions in the Sudan were not at issue; it was being punished solely for what it had done in Geneva". The Algerian representative added: "NGOs had been given the message that they must abide by United Nations rules". But according to the United States: "Although we believe that inappropriate behaviour by non-governmental organizations should not be tolerated, we should not send non-governmental organizations a message that they will be expelled by virtue of one mistake".<sup>1</sup> Only in a very abstract way could one say that these decisions are taken outside international law, but it is also clear that this was a political decision taken by the gatekeepers of the system.

The second set of rights and obligations for NGOs can be derived from treaties that either accord NGOs with specific roles or bestow certain rights on NGOs, without necessarily stipulating specific obligations. The recognition of the explicit role of the International Committee of the Red Cross (ICRC) in the 1949 Geneva Conventions and the recognition of the right of NGOs to bring cases to international organizations such as the World Bank under the Inspection Panel scheme or international human rights courts and committees are examples. The question whether these and other rights entail corresponding obligations is a controversial one that has not been widely discussed in international law.

The question of the existence of more general rights and obligations for NGOs under international law is sparked by NGO actions which trigger international incidents, such as the intended breaking of the Gaza siege by Free Gaza Movement or the attempted scaling of a Russian Drilling Platform by Greenpeace. NGO accountability, in those cases, should not be limited to 'upwards' (donors, trustees, governments) and downwards (beneficiaries, partners, staff and supporters) political reporting (Edwards and Hulme 1995: 9), or accountability under national law. Considering that the NGO actions involved questions of international law, their accountability should also have an internal legal component. The varieties in accountabilities constitute a framework of multiple accountabilities, which complicated both reporting and assessment.

The apparent neglect for NGO responsibility/accountability in international legal discourse can be understood and explained by the combination of the preoccupation with (the absence of) international legal personality and extant normative focus on NGO rights. Considering the NGOs' changing role as service providers and deliverers of public goods, that neglect can hardly be justified.

Conceptions of responsibility and accountability differ across discourse and are not easy to reconcile. However, perceiving responsibility primarily as being legal, political or social does not prevent the application of one particular concept of responsibility in a different field, as the legal discourse on corporate social responsibility has demonstrated (Segerlund 2010).

### *Participation and law-making*

Depending on the theoretical perspective (again), the question whether NGOs are international law-makers can be answered with a categorical positivistic no or a policy-oriented yes. Legal positivism considers the law to be made by a single authoritative act, which in international law is the signing of a treaty or the combination of evidenced state practice and opinion which constitutes customary international law. It is a static conception of the law that only changes through new authoritative acts. NGOs may participate in a social-legal process that leads to this formal law-making act, but is not law-making in and of itself. Within this perspective it

is perfectly possible to recognize and conclude that international NGOs have ‘influenced’ and ‘changed international law making’ (Boyle and Chinkin 2007: 93, 97), but that is still within the traditional positivist understanding of law-making. The policy-oriented approach on the other hand considers law to be a dynamic process of authoritative decision-making. Law is made through an ongoing process rather than being the result of a process that is limited in time and space. To policy-oriented scholars, international law-making is more than the written-down outcomes of past processes and procedures; NGOs are inherently included in law-making.

But beyond or in between these theoretical extremes other positions are possible. Scholars like Hobe and Noortmann consider the possibility of taking NGO practices and opinions into account when determining international customary law and/or interpretations of ‘past decision’. On other occasions, the importance of the debates on law-making has been questioned (Noortmann and Ryngeart 2010).

The question “whether other actors than states and governmental organizations can participate in the formation of (state) practice” has so far been “little researched”, as Stephan Hobe rightly concludes (2004). The reason for that might be found in Boyle and Chinkin’s reservation to Gunning’s proposal to “modernize” customary international law and to include the practices of NGOs in determining rules of customary international law (Gunning 1990). Such a proposal “entails considerable theoretical and logistical difficulties”, according to Boyle and Chinkin (2007: 36):

which of the thousands of NGOs in existence would have this status? Which of their myriad and diverse activities could constitute ‘practice’? Whose actions would constitute those of an NGO? Would this equate the international legal personality of NGOs with that of states, or IGOs? . . . NGO agendas are not necessarily produced with greater democracy or transparency than the agendas of states or IGOs.

The questions posed by Boyle and Chinkin are baffling and to a large extent not relevant at all for the determination of international customary law; why raise those questions with respect to NGOs? As I concluded elsewhere, there is no reason for or obstacle against differentiating between NGOs with law-making capacities and NGOs which only influence law-making (Noortmann 2015). But if we are to take the customary international law-making capacity of NGOs seriously, we have to be rigorous with our determination of ‘legal opinion’ and ‘practice’ as the constitutive elements of international customary law (see Article 38 of the Statute of the International Court of Justice). However, as the practice and opinion of some states are more important than those of other states, depending on the rule in question, so will the practice and opinion of some NGOs be more important than those of other NGOs.

In addition to the question of the formation of customary international law, one can also ask to what extent the practices and opinions of NGOs must be taken into account in scholarly and judicial interpretations of international law. With the increased participation of NGOs in ‘law-making processes’, their opinion is increasingly recorded and becoming part of the so-called legislative history, which must be taken into account when determining the meaning of specific international legal documents.

#### 4. Concluding remarks

Do NGOs matter in international law? The overall answer to that question, as shown above, clearly depends on the disciplinary perspective that one is taking, the paradigm one is adhering to and consequently the more or less strict doctrinal separation of legal personality from socio-political participation. Very few approaches have moved away from that separation, as shown in

section 2. Still fewer approaches have moved away from the idea that international law is made by states on the basis of contract, custom and other forms of 'explicit' state consent. Overall, international legal scholarship is extremely restrictive when it comes to accepting the international legal personality of NGOs in addition to their political participation in the international legal system.

The increased participation of NGOs in the international legal system and their influence on international law-making is well recognized. That recognition does not conflict with a positivist conception of international legal personality and/or international law-making, because participation and influence is not limited to legal persons and law-makers. Misunderstanding, confusing or blurring those concepts does not add to our understanding of the position of NGOs in international law, legal or otherwise. The 'international legal personality question' is to a large extent immaterial to the discussion on the recognition, roles, responsibilities and rights of NGOs in the international legal system (Noortmann 2004, 2015).

In order to move NGOs from simple law-takers to sophisticated law-makers, however, one needs to adopt a non-positivist approach to international law. The policy-oriented approach or the transnational legal approach would be examples of a new theoretical attitude to international law as these approaches seriously and critically question how law beyond national jurisdictions is formed and interpreted. For that we do not need to reconsider the concept of legal personality, which as stated above is a mere practical tool for facilitating legal relations. One might argue that (international) NGOs should be enabled to enter into legal relations at a transnational level and therefore we need a more sophisticated and qualified system of international legal personality, but it is no prerequisite for the advancement of NGO influence on international law.

The ultimate question for the students of both *international* law and *international* relations is whether the postmodern processes of globalization and transnationalization, and the non-state-actors within those processes, can be understood within a pre-modern and exclusive Benthamian conception of 'international'. If not, it is time to change our approaches *and* terminology, which suggests that the proper title for this chapter should have been 'NGOs in transnational law'.

## Note

- 1 All quotes taken from: [www.un.org/News/Press/docs/1999/19991026.ecosoc5876.doc.html](http://www.un.org/News/Press/docs/1999/19991026.ecosoc5876.doc.html); see also UN Doc. E/1999/109 and Add.(1) and ECOSOC decision 1999/268.

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# Voluntaristics

## Global research on NGOs and the non-profit sector

*David Horton Smith*

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### Terminology

The new term *voluntaristics* has been suggested as a single-word label for the nearly 50-year-old interdisciplinary field and emergent academic discipline that involves studying NGOs (or non-profit organizations, NPOs) and all other phenomena of the voluntary non-profit sector (VNPS) in all human societies, past and present (Smith, 2013, 2016). The term is similar in form to the term *linguistics*, referring to the study of all human languages, past and present. This chapter will discuss the origins of voluntaristics as a field of study, its current global structure and growth trends, and the key substantive contents of the field beyond the transnational/international aspects reviewed in the present volume.

NGOs are but one aspect of the larger, global, interdisciplinary field of research into all VNPS phenomena. In addition to NGOs as transnational or international *associations*, often referred to as *international non-governmental organizations* or *INGOs* (Smith, Stebbins, and Dover, 2006: 124, 230), there are also national, provincial or state, and lower territorial-level associations in nearly every contemporary nation-state. Besides membership associations, there are usually also other types of groups and organizations (formal groups) in the VNPS, especially *non-profit agencies* (or *voluntary agencies*) with paid staff. *Private foundations* are a special form of non-profit agency, usually with significant endowments (donated assets). Where associations are usually controlled ultimately by their members, who elect top leaders, non-profit agencies are usually controlled from the top down by their policy board of directors or trustees. I have elsewhere suggested many other factors that distinguish associations as NGOs from non-profit agencies (Smith, 2017).

In Smith (2016: 2), I noted (quoted here with permission):

Voluntaristics, although clearly a young discipline, has developed out of non-profit and voluntary sector studies, philanthropy studies, civil society studies, third sector studies, non-profit management studies, social and solidarity economy studies, social movement studies, cooperatives research, self-help/mutual aid group studies, and related fields that have emerged since 1970.



A somewhat longer list of alternative terms for our research field is also given in Smith (2016: 2, 7). In advocating for use of the term *voluntaristics*, I further point out (Smith, 2016: 7; again quoted here with permission):

Whatever term is chosen, it is argued that a one-word label for our field will help our progress toward becoming an accepted academic discipline. Nearly all established academic disciplines have single-word names (e.g., philosophy, physics, biology, economics), with only rare exceptions like *political science*. No other one-word labels seem appropriate contenders. Clearly, a one-word name for the field is only one of many factors that will move the field toward becoming an accepted academic discipline.

## History of voluntaristics

Although the label *voluntaristics* is very recent (Smith, 2013, 2016), relevant research in the field goes back a few thousand years. The first question to arise is, how old are the voluntaristics substantive phenomena? *Informal volunteering (informal service volunteering)*, as attempting to help or benefit people outside one's immediate household/family with no group or organization involved (Smith, Stebbins, and Dover, 2006: 118, 119), likely has existed for all of humans' 200+ millennia of existence. But *formal volunteering*, done through some group or organization, has been much more recent in appearance (op. cit., 88), arising with the first non-profit associations circa 8,000 BC/BCE.

The first *non-profit groups* mainly date back about 10,000 years, to the global horticultural revolution, when many preliterate hunting-gathering nomadic tribes settled down in small villages to raise some crops and domestic animals (Anderson, 1973; Smith, 1997, 2019a). These earliest non-profits were informal groups, specifically local leisure associations as social clubs of adult males, termed *grassroots associations (GAs)*.

I wrote (Smith, 2016: 9) about the earliest voluntaristics research as follows (quoted here with permission):

The earliest form of voluntaristics research was the history of some association, with an initial focus on such facts as the name, nature, goals, activities, leaders, and membership of some specific voluntary association in an ancient civilization, usually in a major city of a large agrarian society. The association described was nearly always some local, all-volunteer, and hence grassroots association. Published research on voluntaristics goes back at least three millennia. Nearly all of the more recent published histories of associations draw partly on the work of earlier historians, as well as on relevant primary historical materials.

Accounts were written of local voluntary associations in ancient Greece and Rome (Jones 1999; Kloppenborg and Wilson 1996; Waltzing, 1895), China (Morse 1967; Ross 1976), Egypt (Shafer 1991), and Mesopotamia (Weisberg 1967), among other places. For instance, the ancient Jewish historian Josephus, who lived in 1st-century Israel/Palestine, under Roman hegemony and military occupation, wrote in passing about the Sicarii. The Sicarii were an underground, revolutionary/resistance association whose principal goal was to assassinate prominent Romans in Jerusalem so as to drive the Romans out generally (Brighton 2009). Terrorist groups are not new. Most ancient associations were more conventional, such as the many occupational guilds/associations in ancient Rome (Waltzing 1895), or the religious cults (Borgeaud 1988) and political clubs (Calhoun 1970) in ancient Greece.



In Smith (2016: 10–14), I further review briefly the history of voluntaristics research, including research on non-profit agencies in recent centuries. Harris et al. (2016) recently provided a lengthy review of the history of research on associations, from 10,000 years ago to the present, while Harris and Bridgen (2007) review European and North American research on non-profit service agencies since 1800. Empirical ethnographic and survey research on associations and non-profit agencies has mainly occurred since about 1920 (Smith and Freedman, 1972). Survey research on volunteering shows the same recency (*ibid.*). Research on the whole VNPS is still more recent, occurring only since 1965 (Cornuelle, 1965; see also Smith, 2016: 12).

## Voluntaristics as an organized field

In my long review article on voluntaristics (Smith, 2016: 15–16), I wrote the following about the initial formation of voluntaristics as an organized field (quoted here with permission):

The history of voluntaristics as a formally organized field of study begins with the founding of ARNOVA ([www.arnova.org](http://www.arnova.org)) by the author in 1971, as noted earlier (Smith 2003). ARNOVA is the acronym of the Association for Research on Non-profit Organizations and Voluntary Action. ARNOVA has been an international, interdisciplinary association of voluntaristics researchers from the beginning. ARNOVA had about [1,300] members at year-end [2016], the large majority being academic faculty (or graduate students) from over 30 nations. ARNOVA holds annual conferences mainly in the USA, with [about 950] participants in [2017]. ARNOVA publishes the first and largest (in annual page and word count) academic journal in the field, *NVSQ (Non-profit and Voluntary Sector Quarterly)*, which has been listed in the Social Science Citation Index (SSCI) since the 1980s. *NVSQ* has the highest Thomson-Reuters Journal Impact Factor [1.85 for 2016] of any interdisciplinary voluntaristics journal.

Since 1971, the voluntaristics field has seen the formation and growth of over 50 additional, interdisciplinary associations at many geographic levels of scope, from municipal to global, [with national associations being most common]. ARNOVA has been the initial model (founding model) for later voluntaristics researcher associations, particularly its interdisciplinary nature. Of these 50+ later associations, about 48 associations remained active circa mid-2013 (Smith 2013).

I further note in summary (Smith, 2016: 3) that the global growth of voluntaristics includes (quoted here with permission):

- The formation and growth of relevant formal sections on voluntaristics topics of national or international associations for specific academic disciplines or professions;
- The founding and activities of the International Council of Voluntarism, Civil Society, and Social Economy Researcher Associations (ICSERA; [www.icsera.org](http://www.icsera.org)) in 2010 by the author – a new, global, voluntaristics, infrastructure organization, umbrella association, and research institute;
- The founding and worldwide establishment of relevant voluntaristics academic journals, of voluntaristics research-information centers, of voluntaristics college- and university-based courses, of voluntaristics undergraduate majors and undergraduate and graduate degree programs, and of voluntaristics university departments and schools[/colleges];
- The fast-growing research on voluntaristics since 1999 as evidenced by the publication of relevant conference papers, journal articles, Master's theses, doctoral dissertations, and books.

Various graphs in Smith (2016) show that many such aspects of voluntaristics as an academic discipline and field have been growing exponentially since about 1995.

## Current global structure of voluntaristics

As a relatively young (47 years old in 2018), organized, interdisciplinary field, voluntaristics does not yet have a fully settled global structure, such as physics and biology have. There is thus no single global association that represents either researchers or national researcher associations or both. Instead, there are several aspiring global associations with varying degrees of multi-national coverage. In terms of voluntaristics individual researchers, ARNOVA is still the largest association, with about 1,400 individual members, but only about 30 nations represented. The younger (1992) International Society for Third Sector Research (ISTR; [www.istr.org](http://www.istr.org)) has many fewer individual members (875), but these represent far more nations (74). None of the other global associations is as large or represents as many voluntaristics researchers (see Smith, 2013).

There are also several world region associations of voluntaristics researchers. Five of these are dependent sub-groups of ISTR as Regional Networks (Latin America, Africa, Europe, Asia-Pacific, Post-Soviet). But there are also several independent world region researcher associations (Smith, 2013; plus personal conversation with founders of GPS, March 2018):

- RILESS – Red de Investigadores Latinoamericanos de Economía Social y Solidaria [Network of Latin American Researchers of the Social and Solidarity Economy] ([www.riless.org](http://www.riless.org))
- AROCSA – Association of Researchers of Civil Society in Africa ([www.arocsa.org](http://www.arocsa.org))
- Various European associations of researchers and/or research centers:
  - European Research Network on Philanthropy/ERNOP ([www.ernop.eu](http://www.ernop.eu))
  - European Research Network/EMES ([www.emes.net](http://www.emes.net))
  - Nordic Civil Society Researchers Network (no website)
  - Third Sector European Policy Network/TSEP ([www.kent.ac.uk/tsep](http://www.kent.ac.uk/tsep))
  - University network for Social Entrepreneurship/UNINET [Europe] ([www.universitynetwork.org](http://www.universitynetwork.org))
- GPS – Global Philanthropy Society (no website yet) [INGO with members from various Asian countries, including at present P. D. R. China, Taiwan, Macau, and Hong Kong, with expectations that Japan and South Korea will also be represented soon]

At the national or bi-national level, where voluntaristics researcher associations are most common (over 25 have existed; Smith, 2013), the earliest one (1978) was ARVAC, the (UK) Association of Researchers into Voluntary and Community Involvement. A recent list of national associations can be found on the website of ICSEARA ([www.icsera.org](http://www.icsera.org)) and an earlier one in Smith (2013). There have also been a few metropolitan or national sub-region voluntaristics researcher associations (Smith, 2013).

Another aspect of the global structure of voluntaristics is the growing set of over 200 Research and Information Centers/Institutes (RICS), as described in Smith (2016) and listed under *Resources* on the ICSEARA website. The large and growing set of core academic journals in voluntaristics is a third key aspect of the global structure of voluntaristics (see 63 core journals in Smith, 2013, and a somewhat longer list under *Resources* on the ICSEARA website).

## Voluntaristics as an emergent academic discipline

The Oxford English Dictionary defines a discipline as “a branch of learning or scholarly instruction.” But there is much more to the concept than this. Krishnan (2009) has reviewed the literature on academic disciplines, characterizing them as having six central features. I wrote (Smith, 2016: 52–54) the following to show that after 45 years as an organized interdisciplinary field, voluntaristics now qualifies objectively as a new academic discipline (quoted here with permission):

- (a) The object of study of the emerging academic discipline of voluntaristics is the range of individual and collective human phenomena at various levels of analysis that involve relatively non-coerced, free-will decisions and behaviors, based on values and belief systems which usually involve some aspects of altruism, morality, or other higher (i.e. non-financial) values in the eyes of the participants, whether groups or individuals (see Rothschild and Milofsky 2006). Voluntaristics phenomena mainly involve normative-voluntary compliance structures, not mainly remunerative or coercive compliance structures, using terminology of Etzioni (1975). Hence, voluntaristics examines those aspects of any society which usually are relatively distinct (a) from families/households, where kinship and close personal relationships dominate exchanges and activities, and communal sharing is the norm; (b) from the market system of exchanges, where market pricing of scarce resources is the norm (business and commercial activities seeking to maximize profits and financial resources), and (c) from the coercive system of exchanges and activities that characterize governments at all territorial levels, where the physical control/dominance of government and government representatives, agencies, and laws/rules control events and activities (Smith 2000: 15–32; Smith, Reddy, and Baldwin 1972; Smith, Stebbins, and Dover 2006: 159, 237–239; Wolfenden Committee 1978: 22–26). Levels of analysis in voluntaristics range from [global human society,] whole individual societies, to major segments/sectors of society, to groups and organizations (NGOs), down to individual motives/dispositions, affects/emotions, goals/intentions, intellectual abilities, cognitions, the self, and resulting behaviors.
- (b) Voluntaristics has a distinct body of knowledge, as illustrated by the set of important recent books listed in Appendix 2. A more extensive version of voluntaristics knowledge can be found in all of the journals, books, conference papers, dissertations and theses referred to in relevant sections of this article.
- (c) Voluntaristics has theories and concepts that organize its distinctive knowledge in various, often alternative, ways. Examples in Smith, Stebbins, and Grotz (2016) include especially the chapters of Parts I and IV. Other examples, listed in this article’s references, include Anheier, Toepler, and List (2010: Selected articles on theory), Frumkin and Imber (2004), Milofsky (2008), Pestoff (2009), Powell and Steinberg (2006: Parts I–III), Rochester (2013), Smith (2000, 2015a, 2015b, [2015c, 2019b]), Smith, Macaulay, and Associates 1980; Smith, Reddy, and Baldwin (1972), Smith and Shen (2002), Steinberg (1997), and Zald and Garner (1987). The extensive *Dictionary* of voluntaristics terms and concepts by Smith, Stebbins, and Dover (2006) lists 1,767 concepts and defines 1,212 of them.
- (d) Voluntaristics has a special terminology of technical terms, adjusted to its objects of study (see Smith, Reddy, and Baldwin 1972: Part One; Smith, Stebbins, and Dover 2006, described briefly just above). A planned second edition of the Smith et al. 2006 dictionary in [2019] by Smith will add definitions of another [1,000] voluntaristics terms and concepts, especially more recent terms.

- (e) Voluntaristics has various special research methods, although these have yet to be summarized comprehensively in a single document (with McNabb, 2012, coming closest so far). Smith, Stebbins, and Grotz (2016: Chap. 4) describes time use/time budget methodologies and their relevance to studying volunteering. A special Bibliography of 47 Voluntaristics Methodology references is presented below, as a second set of References, giving a sampling of such documents.
- (f) Voluntaristics has a variety of institutional manifestations as parts of the structure of universities in various nations, and in academia more generally. The most common examples are voluntaristics courses and degree programs in many universities worldwide, especially ones focused on non-profit management or non-profit administration (Section D, #9), and also voluntaristics research-information centers, most of them based at universities (Section D, #8). The large number of doctoral dissertations and Master's theses that focus on voluntaristics topics constitutes another indicator of how this emerging discipline has been institutionalized within universities in many nations (Section D, #12). Although still few in numbers, the recent growth of both university departments and schools/colleges focused on voluntaristics topics is a solid indicator of institutionalization (Section D, #10 and #11). Considering auxiliary indicators of institutionalization, the many voluntaristics researcher associations, voluntaristics formal sections of disciplinary and professional associations, academic journals, books, conferences, and faculty positions with titles reflecting voluntaristics terms/keywords are further evidence of the institutionalization of voluntaristics as an emerging academic discipline.

### **Usable knowledge for NGOs from voluntaristics**

Some research knowledge in voluntaristics can be useful in understanding NGOs in international relations. In particular, various books and book chapters review research on INGOs (e.g., Ahmed and Potter, 2006; Boli, 2006; Boli and Thomas, 1999; Casey, 2015: Chaps. 6–9; Feld and Jordan, with Hurwitz, 1994; Jordan, 2011; Jordan, Archer, Granger, and Ordes, 2001; Stoddard, 2012). I will suggest four types of usable NGO research-based knowledge briefly here.

### ***Determinants of the size of the VNPS***

The prevalence of NGOs/INGOs in a contemporary nation-state is positively related to the general (total) prevalence of associations in that society, which has received some quantitative study. Smith and Shen (2002) presented a general theory of association prevalence developed by Smith and tested it on archival data regarding two sets of larger (one million+ population circa 1994) contemporary nations for two dates: 1977 and 1994, as Panel 1 and Panel 2, with 124 nations included.

Quoting from the article with permission (2002: 112):

The number of INGOs to which a nation, or people or organizations within it, belong as collective members is available for 1977 and 1994 from the *Yearbook of International Organizations* 1994/1995, Volume 2 Geographic Volume, edited by the Union of International Associations (1995, Table 3, pp. 1682–1685). This is our dependent association [NGO] prevalence measure in the present study for Panels 1 and 2, respectively. Its great virtue is that it is available and measured identically for all major contemporary nations in our sample. It relates to national associational prevalence as a proxy, and the

1966 version of this variable has been shown to relate closely to Interest Articulation by Associational Groups as well as to percentage of association membership among adults (the latter for only a small sample of nations).

When Ordinary Least Squares multiple regression analyses were performed separately on each panel of data, the results strongly supported the Smith Association [NGO] Prevalence Theory. For the 84 nations in Panel 1 (1977), the Adjusted  $R^2$  was a very high .889, thus explaining nearly 89% of the variance. For the 107 nations in Panel 2 (1994), the Adjusted  $R^2$  was also very high at .893, thus also explaining 89% of the variance. Seven of eight predictors tested were statistically significant at or below the .05 level in a two-tailed t-test of the unstandardized regression weights in both panels. Greater INGO prevalence among nations was positively predicted by larger size of the population, more years since the latest revolution and hence experience with democracy, more permissive political control (civil liberties), more modernization in terms of GDP per capita and higher percentage of the relevant age cohort in secondary education, greater number of Inter-Governmental Organizations/IGOs the nation belongs to, and more INGO principal secretariats in the nation. Only ethno-religious heterogeneity failed to predict INGO prevalence as predicted. In a later related association/NGO prevalence study, Schofer and Longhofer (2011) confirmed the predictive power of five key variables from the Smith and Shen study when using prevalence of larger *domestic* associations from a U.S. directory for 140 nations as their dependent variable for the period 1970–2006. Their eight predictors explained an  $R^2$  of .73.

### ***Crucial aspects of NGO structure and process***

Smith, Stebbins, and Grotz (2016) recently edited and published a massive two-volume handbook with 1,414 printed pages summarizing existing research and theory about associations/NGOs and volunteering/civic participation, with 203 co-authors from 73 birth-nations as contributors. In Chapter 2 on theories, by Smith with Van Puyvelde (2016), Section D, II (pp. 66–70) discusses Meso-theories of *all-volunteer* conventional associations. Some NGOs/INGOs are all-volunteer associations, and the findings in this chapter are likely relevant. More relevant to the present book, however, is Section D, III (pp. 70–72), on Meso-theories in paid-staff conventional associations, which likely applies to many or most NGOs/INGOs (quoted here with permission of the chapter authors):

In this section, we discuss the paid-staff association, which is a special form of [NGO] that has natural persons or organizational representatives as members, uses the associational form of organization, and relies on both volunteers *and* paid staff to reach organizational goals (Smith 2010b). However, the theoretical literature on structures and processes in this type of associations is most limited, compared with that on general [NGOs] (meaning non-profit agencies) and voluntary associations (Smith 2015a, 2015b). The main goal of this sub-section is therefore to identify the key governance issues, tensions, structures, and processes in paid-staff associations. For a detailed discussion of internal structures and processes in all association types and a multi-theoretical approach to associational governance, including the governance of paid-staff associations and association leadership, see Handbook Chapters 35 and 36.

By reviewing some main theoretical perspectives on corporate governance and discussing how they can be usefully extended to analyze association governance, Cornforth (2004) identifies three governance tensions that boards of membership associations/[NGOs] face.

First, tension exists between *representative* and *expert* boards. Should board members act as representatives for particular membership groups or as experts that use their professional expertise and skills to improve the performance of the association? Second, tension arises over conformance and performance board roles. Whereas the conformance role accentuates the importance of monitoring associational performance and being accountable to external stakeholders, the performance role emphasizes the importance of board involvement in the association's strategy and top management decisions. Since these roles require board members to behave in different ways, how much attention should boards of directors of associations pay to these contrasting roles? Moreover, is it possible to combine these roles without experiencing difficulties or compromising one of them? Third, there is also a tension between monitoring and controlling managers, on the one hand, and acting as a partner to them and supporting them, on the other hand. For example, if control is excessive, intrinsic motivation may be crowded out. Too little control, however, may increase opportunism. Since boards of associations may experience pressure to simultaneously control and coach their managers, to what extent should they perform each function to improve associational performance?

Although association board members are typically elected from within the membership, boards of associations are not without means to mitigate the aforementioned governance tensions (Cornforth 2004: 21–26). In sum, boards can:

- (1) *improve the board's competency* by improving the quality of training and support available to both current and potential board members, as well as by using co-options to fill gaps in skills and experience among current board members;
- (2) *focus their attention on important board processes*, such as the way in which longer-term issues are given priority on the board's agenda; and
- (3) *regularly review their relationships with the management of the association* by discussing and negotiating roles and responsibilities and by analyzing how well they are working together to improve the performance of the association. As such, governance issues related to board composition, board roles, and internal structures and processes in paid-staff associations may at least be partially resolved.

Spear (2004), in contrast, investigates member influence and managerial power in membership associations. First, in examining the extent of member influence over the board, he considers five issues: (1) proportion of users/consumers with member rights, (2) member participation, (3) effects of association size and age on member participation, (4) coalition formation among members, and (5) board functioning. Second, in exploring managerial power in membership associations, he analyzes a number of internal factors (reward structures, information systems, and monitoring) and also a number of external factors (market for corporate control, legislation and regulatory frameworks protecting members' interests, and the professionalization of the managerial labour market) that influence associational governance. In sum, he finds that low member participation, lack of coalition formation, and insufficient board control result in weak member control.

This situation is exacerbated by the absence of an external market for corporate control and weak legislation for protecting member rights, although the latter may vary from country to country. Consequently, Spear (2004) argues that (a) there are serious questions about the extent to which board members of paid-staff associations may be considered representative and that (b) the managers of paid-staff associations may have more power than their counterparts in similar-sized private sector organizations. To improve this situation, a

number of countervailing measures are provided that reduce managerial power and develop good board practices in non-profit associations. These include (1) *regulation or voluntary self-regulation* to improve governance standards, (2) *improving the board's competency* through increased member participation and training of board members, and (3) using *effective incentive structures for managers* (Spear 2004: 54–55).

Section D, IV (Smith et al., 2016: 72–75) of Chapter 2 reviews Meso-theories of deviant voluntary associations, such as theories of social movement/activist associations as Social Movement Organizations/SMOs, which can be NGOs/INGOs. Examples are given of useful propositions from the Zald and Garner (1987) theory of SMO growth, decay, and change. Similarly, examples are given of useful propositions from Gamson's (1990) theory of effective SMOs. Then several types of hypotheses are given as examples from Smith's general theory of deviant voluntary associations, being presented in detail in Smith (2018). Hypotheses thus deal with the origins phase, joining and membership, ideology, and structure and leadership, and could be applied to fundamentally deviant NGOs/INGOs, such as transnational terrorist groups.

### ***Micro-theories: association[/NGO] membership, participation, and volunteering***

Section D, VI (pp. 77–78) of Chapter 2 (Smith et al., 2016) reviews the topics above, understanding micro-theories as applying to individuals. Although the main focus is on individual volunteering, one can also view this type of research as applying to collective members of NGOs/INGOs, where in fact individuals respond representing collective/organizational members. Another way such research relates to NGOs/INGOs is in terms of the membership in and volunteering for NGOs/INGOs in various specific countries where national member associations exist as collective members of multi-national NGOs/INGOs. The root resource of any association at any territorial level is the volunteer commitment and effort of individual people who are members and leaders. Hager et al. (2016) review research on recruitment of members to NGOs generally.

Part IV (pp. 541–803) of the *Handbook* by Smith et al. (2016) reviews the extensive research literature on various types of influences on individual volunteering and civic participation, all of which can be applied to membership recruitment and participation in NGOs/INGOs. Smith's S-Theory (op. cit., Chap. 31; also, Smith, 2019c) is the most comprehensive summary and overview of why people volunteer or do other prosocial behavior (see also op. cit., Chap. 2, Section D, VII, pp. 78–82). But many other key research documents help us understand why people do formal volunteering in NGOs (e.g., Berger, 1991; Bryant et al., 2003; Di Gessa and Grundy, 2017; Dury et al., 2015; Musick and Wilson, 2008; Reed and Selbee, 2000; Smith et al., 2016; Taniguchi, 2010).

In summary, INGO leaders/managers, whether paid staff or volunteers, would be wise to find as many ways as possible to ask people, directly or indirectly, to join (become members), volunteer actively, and/or to continue volunteering for their target INGO. The generalizations below apply to recruitment of new INGO (e.g., national) collective or individual members and also to recruitment/volunteering of individuals within a specific INGO at its international headquarters (HQ) or within specific national collective/NGO members of an INGO.

Research in Russia, the USA, Canada, France, Japan, China, and various other nations has shown for several decades that being asked is how many individuals join associations and begin to volunteer in them (e.g., Nesbit et al., 2016). Here are 10 possible ways that NGO/INGO leaders/managers can apply this usable knowledge:



- (1) In attracting NGO members/volunteers, the focus should be on in-person contacts, not simply emails, website text, posted letters, mass mailings, brochures, or other mediated communications.
- (2) One good place to start in seeking new or continuing NGO/INGO members/volunteers is for various leaders (not just one) in a given NGO to speak individually to new members and lapsed members/volunteers (i.e., former volunteers who are no longer active) about specific volunteer tasks or roles needing incumbents.
- (3) Seeking specific individuals for specific volunteer tasks/roles via personal contact by NGO/INGO leaders tends to work better when there is another sub-leader/manager who can help the new/returning volunteer begin volunteering in situations where such recruits can feel useful and valued soon after recruitment.
- (4) Other research suggests that many NGO/INGO volunteers cease membership/volunteering because they do not feel properly treated and/or properly used in NGOs. Thus, keeping existing members/volunteers in NGOs can be as important as recruiting/attracting new ones. In fact, such positive retention practices by NGO leaders/managers can be more efficient than recruiting new members/volunteers, who usually have to be trained and learn how to perform their roles or tasks.
- (5) So far, research on recruitment/volunteering has not clarified which *modes* of personal contact yield the best attraction/recruitment results. However, more general research on interpersonal communication and on social relationships suggests several guidelines:
  - (a) Using personal contact with family members of an individual to encourage membership/volunteering is usually more difficult to accomplish than personal contact with other people with nonfamily, weaker ties.
  - (b) In-person, face-to-face recruitment communication by NGO leaders/managers in an informal setting is likely to be most effective. This can easily be done before or after NGO meetings or other group events (e.g., fund-raising events, celebrations).
  - (c) Such recruitment communication is likely to be more effective when only one other person, the target of recruitment, is present (or a person and his/her spouse/partner), rather than several people together.
  - (d) Repeated personal communication will likely yield better results than only one-time attempts. Persistence in persuasion often yields the best results.
  - (e) Personal recruitment works better when it also involves friends or relatives of the target individual. Research shows that many people volunteer in the context of such “significant others.” Hence, when a particular individual is especially important to recruit, the NGO leader(s) should consider personal communication with other people known and trusted by that target individual. This can be particularly important in recruiting new leaders.
  - (f) Personal phone calls to encourage attraction/retention should follow in-person contact, not to be used first or alone in most cases.
  - (g) E-mail contact is likely to be less effective, as are *cold-call* (i.e., random) letters in mass mailings by post. However, both emails and posted letters, if personal and brief, can be effective as follow-ups to in-person recruitment/retention attempts.
  - (h) Leader attempts to do mass recruitment at NGO/INGO conferences, meetings, or other group events are not usually very effective, unless some urgency is involved or volunteers are needed for some immediate one-day/half-day work event for the NGO.

- (i) Recruitment/retention notices in NGO/INGO newsletters/periodicals sent by post or e-mail to all members or given to attending members (at some conference, meeting, or event) can have minor positive results, but are usually less effective than in-person contacts as above.
  - (j) Recruitment notices in local newspapers or on local radio stations can also have minor positive results, but are usually less effective than in-person contacts as above.
- (6) Although in-person communication by NGO leaders/managers is optimal, especially by top leaders, similar recruitment/retention efforts via personal contacts can also be effective when *non-leaders* are willing to get involved. Achieving such non-leader involvement in recruitment is just another kind of recruitment of volunteers, but one that is a kind of leveraged time investment in the general volunteer recruitment process for the NGO. Leaders should keep careful track of which non-leaders seem to be most involved in and successful at volunteer or member recruitment/retention efforts (based on informal reports by the non-leaders involved), and seek to involve such non-leaders as future leaders.
  - (7) Volunteers nearly always appreciate recognition for their efforts, and volunteer service programs are often more careful to do this than are NGOs. However, NGO leaders should also provide such recognition to their volunteers/members. One simple but effective way to do this is for leaders to systematically give in-person positive comments to members/volunteers who have done well, whether other leaders or non-leaders. This can be done before or after conferences/meetings or during other events/meetings, including committee meetings or celebrations.
  - (8) Another simple way to give recognition to active volunteers in an NGO is by appointing or electing them to named positions or roles in the NGO. Appointments as committee chair or vice-chair, or simply as committee member, can encourage more and higher-level volunteering. Some NGOs effectively use occasional recognition ceremonies as rewards for leader and non-leader volunteers.
  - (9) When an NGO has one or more paid staff, it is vital for such employees to value genuinely and interact positively with volunteers at all levels. Employees usually need special training/education to understand this necessity and also leader monitoring to ensure cordial relations with volunteers are maintained by paid staff.
  - (10) NGO leaders/managers should never neglect the importance of encouraging socio-emotional ties among their members/volunteers, because having friends, especially close friends, among the membership is a key factor in maintaining membership and volunteering. All NGOs need to allow time for personal contacts and informal relations among both members/volunteers and leaders. Such socio-emotional bonding should take place routinely before and after regular conferences, meetings, or other events and where feasible during such activities. But NGOs need also to schedule special social and entertainment events a few times during the year. NGO leaders particularly need to keep the importance of socio-emotional relationships at a high priority no matter what are the goals of the group, instrumental/task accomplishment or expressive/friendship/emotional/entertainment activities.

The main problem here is that very little relevant research exists examining how and why *collective* (organizational) members of NGOs/INGOs decide to join or exit specifically from NGOs/INGOs. Although individual persons are clearly involved, there are also larger organizational motivations and goals involved. For instance, a particular scientific NGO/INGO or

for-profit business will usually have collective reasons for joining or leaving a multi-national NGO as a collective national member, in addition to special motivations of individuals involved in the process.

### ***Micro-theories: philanthropy and fund-raising for NGOs***

Research on philanthropy in voluntaristics is relevant to NGOs/INGOs, especially research on individual charitable giving. NGOs/INGOs, like any other associations, need a certain amount of funding to survive and function, especially because of their multi-national nature with special communication and transportation costs. Several recent review articles discuss research on why individuals give to charity and charitable organizations, including NGOs (for instance, Andreoni and Payne, 2013; Bekkers and Wiepking, 2011a, 2011b; Sargeant and Woodliffe, 2007).

The conclusions of Bekkers and Wiepking (2011a: 924) were:

[E]ight mechanisms [are] the most important forces that drive [individual] charitable giving: (a) awareness of need; (b) solicitation [some kind of contact seeking money]; (c) costs and benefits; (d) altruism; (e) reputation [of charity/NGO]; (f) psychological benefits; (g) values [supporting charitable giving]; (h) efficacy [of charity/NGO].

All of these mechanisms can be useful to NGOs/INGOs in raising funds. Andreoni and Payne (2013: 19–20) show that *lead* (initial, large) gifts have positive effects on fund-raising for a charity. These authors continue (p. 43), “Another main lesson of this review is that asking for donations is essential to understanding the strategic relationship between a charity and its donors.” Further (p. 44), “We learned that being asked by a friend is even more powerful than being asked by a stranger, even if it is a distant friend.”

My S-Theory (Smith, 2019c) has been tested on a large (N=2,000 random adults, over-sampling random volunteers) national survey in Russia in 2014. My ARNOVA annual conference papers have strongly confirmed the validity of S-Theory in predicting/explaining formal and informal volunteering, as well as for charitable giving (Smith, Bekkers, and Mersianova, 2016).

### **Conclusion**

Voluntaristics is a fledgling academic discipline, after nearly 50 years as an organized interdisciplinary field (Smith, 2016). After slow initial growth, the field has been growing exponentially in nearly all aspects since the mid-1990s (*ibid.*). As suggested here briefly, there are many kinds of research on voluntaristics that constitute usable knowledge for leaders, managers, and staff of NGOs/INGOs. In terms of NGOs as INGOs, however, there are severe limits to what we know from voluntaristics, since most research has been done on local/grassroots associations, and to a lesser extent on national NGOs. With regard to the latter types of NGO research, we also only have research from a limited number of countries (perhaps 50) on the internal structure and processes of NGOs and their relationships to their sociocultural environments, with most intense focus on major post-modern countries like the USA, Canada, the UK, France, Germany, etc. We need a much better sampling of world regions for NGO and INGO research, especially including more third- and fourth-world nations.

Researchers and theorists in voluntaristics, and especially in the INGO research subfield, could be helpful in various ways in the future, especially if encouraged to focus on research

problems that can produce more usable knowledge, such as the topics discussed here. Much more research on INGOs is needed regarding membership and volunteer recruitment/participation to see whether findings on local and national NGOs are also supported for INGOs. Especially important will be further research on recruitment and participation of collective/organizational members of INGOs, as contrasted with prior very extensive research on recruitment and participation/volunteering by individuals in local or national NGOs. We very much also need more research on INGO governance/boards, management/leadership, and external relationships/collaboration, to name only a few high priorities. Because of the demonstrated rapid, indeed exponential, growth of voluntaristics since the mid-1990s, we may expect such future research on INGOs to receive more attention in the future. The present unique NGO Handbook will likely contribute to stimulating such research.

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# Primary data on NGOs

## Pushing the bounds of present possibilities

*Elizabeth Bloodgood*

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As interest in the study of non-governmental organizations (NGOs) has grown in recent years, the paucity of quality, generalizable data has become an increasingly clear barrier to research advancement. Many NGO scholars have created excellent primary data sources for their particular research questions (see for example Mitchell and Schmitz 2014 and the TNGO research project at Syracuse or Bush 2016 and optical character recognition (OCR) of NGO primary documents). Other scholars have made use of institutional datasets on NGOs from the Union of International Associations (e.g. Murdie and Davis 2012a; Smith and Wiest 2005) or technological tools to create data from the text of news articles (IDEAS as used by Murdie and Bhasin 2010) or links on the internet (IssueCrawler as used by Carpenter 2007). Each of these projects has made important contributions toward developing our understanding of NGOs by opening new empirical windows and testing new theories. But these datasets are also each bounded in time and by specific research questions, and thus it is very difficult to combine or reuse this data again. In order for NGO researchers to develop larger datasets that are easily integrated, we need to collaborate on a grander scale. Aggregated and shared data on NGOs will help to place the study of NGOs on similar empirical footing as democracy studies, conflict processes, electoral studies, or humanitarian development, each with their own high-profile datasets (e.g. Polity, Correlates of War, and V-Dem) that have enabled a related research community to flourish internationally and advance community research agendas.

Systematic data across time and place as well as better national-level data are necessary to obtain robust answers to important questions concerning NGOs' existence, operations, and policy impacts at the national and international level. What patterns have emerged in NGOs' formation? When and why do NGOs die? How have NGOs' characteristics, funding, and activities changed over time and across countries? What are the effects of national origins on the institutional structures, funding patterns, and activities of NGOs, domestically and transnationally? What factors determine when and how NGOs function across national borders?

Current research focuses on the largest and loudest organizations, such as Greenpeace and Amnesty International, as well as those that are dramatically politically active, such as Sea Shepherd and MoveOn. This is partly because these are the organizations that have the greatest authority (Stroup and Wong 2013) or influence (Raustiala 1997; Wapner 1995) in world politics. Researchers' focus on older, larger, richer, and more visible organizations is also a

pragmatic decision, given limited time, resources, and the need to publish work on a category of organizations that many dismiss as epiphenomenal (Mearsheimer 1994) or relatively unimportant (Kahler 2018). These large organizations, which are often predominately Western and liberal (Bob 2012), are likely not representative of the full population of NGOs, and the sum of the activities of all NGOs may matter more or differently than the activities of any one organization (Bloodgood and Clough 2017).

Mobilizing new data, and applying diverse methods of analysis to these new data once they are available, will allow scholars to address current weaknesses in the largely descriptive and highly selective NGO literature. The vast majority of NGO research prior to 2010 consisted of small-n, descriptive, and illustrative case studies (Risse-Kappen 1995; Wapner 1995; Clark 2001; Bob 2005; Hopgood 2006; Hertel 2006). Even more problematic, initial claims about the moral goodness and problem-solving capacities of NGO may have been the result of selection bias or inappropriate generalization (Keck and Sikkink 1998). As a secondary set of goals, better data on NGOs will enable more robust social science research pertaining to NGO management, leadership, and strategy, as well as human rights advocacy, development assistance, and environmentalism. A more complete understanding of the range of NGO organization styles, activities, financing, and governance styles will help moderate assumptions about the principled nature of NGO activities (Mitchell and Schmitz 2014) and power distributions among NGOs (Pallas 2016), while broadening the possibilities for their power, influence, and impact in foreign policy and world affairs.

A practical push toward accountability by NGOs, defined in narrow and easily measured ways, is also having perverse consequences, as NGOs use easily available metrics to guide their behavior (driven by donors' focus on financing) (Ebrahim 2005; Eckerd and Moulton 2011; Schmitz et al. 2012; Szper 2012). This is leading to the distortion of NGOs' goals, the prioritization of short-run successes (Cooley and Ron 2002; Nunnenkamp et al. 2013), and limited organizational development due to low overhead ratios (Lecy and Searing 2015; Mitchell 2013a). Prior research has been limited by, even driven by, the availability of financial information required by government tax authorities and the lack of other substantive alternatives for empirical study on any scale by researchers, policymakers, and NGO practitioners. This tendency may exacerbate population ecology pressures which cause organizations to imitate the models perceived to be the most successful (Cooley and Ron 2002), which currently are more moderate (Bush 2016; Stroup and Wong 2013), centralized (Wong 2012), professionalized (Suarez 2011), and depoliticized (Bloodgood and Tremblay-Boire 2017) than the average NGO. At its extreme, the trend may put the true diversity of NGOs at risk, producing the demise of some organizations before we can study the full ecosystem.

This chapter will first examine the state of quantitative NGO research, based on the existing data environment, as well as consider some of the challenges for quantitative NGO research moving forward. Several recent technical and political developments open new possibilities that hold out hope for the development of more collaborative and complete datasets on NGOs in the near future.

## **Current quantitative NGO research**

There exists a substantial and growing corpus of excellent quantitative NGO research, stemming from political science, sociology, public management, and non-profit studies fields. The research is generally based on institutional data – national tax or registry data in the case of national research (e.g. Lecy and Van Slyke 2013) or international organization's data from the Union of International Associations or the European Union Transparency Register in the case

of global or comparative research (e.g. Murdie and Davis 2012a). The Union of International Associations provides in its annual *Yearbook of International Organizations* (YIO) the broadest and most consistent coverage of international NGOs, but information is self-reported (Burger and Owens 2010), there is substantial missing data on important organizational features (particularly consistent information on NGOs' budgets and financing), and it only includes NGOs operating in three or more countries (eliminating smaller NGOs). In addition, access to the data is expensive (Murdie and Davis 2012a). Scholars have turned to other data sources with the authority to require NGOs to report their data more consistently and completely. The European Union (EU) Transparency Register offers detailed organization-level information, but only for NGOs which have selected to register or seek access to EU institutions (Greenwood and Dreger 2013). Similarly, the United Nations collects detailed information on the activities of NGOs which have consultative status with ECOSOC, but this is a limited set of generally large and influential organizations and their financial information is not made public.

Scholars have assembled datasets on INGOs as organizations (Murdie and Hicks 2013; Mitchell and Schmitz 2014; Lecy et al. 2012; Bush 2016), as authorities (Stroup and Wong 2017), and as networks (Carpenter 2007; Murdie and Davis 2012a; Hadden 2015), across comparative legal contexts (Dupuy et al. 2016; Bloodgood et al. 2013; Henry and Sundstrom 2017) and international organizations (Tallberg et al. 2015; Hanegraaff et al. 2016).<sup>1</sup> While this growing body of work uses innovative research designs to collect the best available data for the authors' purposes, there are shortcomings. In particular, the scope conditions for the findings are uncertain and there are few ways to assess generalizability without readily available global data. For example, Beyers, Hanegraaff, and Dür have all undertaken large surveys of NGOs' and other interest groups' activities at global meetings for trade and climate change (Hanegraaff et al. 2016) and within national political contexts, namely Belgium, the Netherlands, and Denmark (Beyers et al. 2008; Binderkrantz et al. 2015; Dür and Mateo 2013), in order to understand the factors that lead organizations to choose insider versus outsider advocacy. While other researchers could repeat the methods devised by these authors for additional organizations or other national and global contexts, the bias of journals against replication studies and toward positive findings means uncertainty about the publication potential for the work will likely deter researchers from undertaking time- and effort-intensive data collection.

Several large-scale, multiyear research projects have sought to address quantitative NGO research in innovative new ways. Columbia University currently archives websites of human rights NGOs, national human rights institutes, and select blogs in its Human Rights Web Archive (HRWA).<sup>2</sup> Schmitz, Mitchell, and colleagues affiliated with the Transnational NGO Initiative (TNGO) at Syracuse University interviewed leaders from 152 US-based INGOs on their organizations' management styles and challenges, networking, financing, and operational decision-making.<sup>3</sup> Berkhout and Hanegraaff have compiled an impressive number of national lobbying registers to examine the strategic choices of interest groups (largely NGOs) in advocacy in Europe (e.g. Berkhout et al. 2017). Dellmuth and Tallberg (2017) have surveyed NGOs with consultative status within the UN on their advocacy activity within international organizations. Smith and Wiest (2005), as well as Boli and Thomas (1999), Murdie and Davis (2012a), and Davies (2014), have all used Union of International Associations (UIA) data as a base to which they can add additional measures, including geographic characteristics, counts of protest activities, network measures, and historical organizational development, to develop transnational datasets on the activities and influence of NGOs. Each of these projects was designed to address specific research questions, however, and is necessarily limited in time by the resources required to gather and collate the data. In addition, there is a persistent sampling bias toward international NGOs, often larger ones with the resources to respond to scholars' inquiries. In

addition, these datasets all lack consistent and reliable measures of NGO resources other than networking. While Brass et al. (2018) have published a meta-analysis of NGO studies and data sources that may help future data analysis and collection, at this point the NGO research community lacks the capacity or a creative mechanism to aggregate information across data sources and projects (which are often explicitly limited in time, place, or issue areas).

## The challenges of quantitative NGO research

The nature of NGOs as organizations has made scholars' efforts to obtain systematic, large-scale data very difficult. While NGO sectors in some countries are large, vibrant, and visible, individual organizations are more often than not small, poor, and short-lived (Brass et al. 2018). Many organizations die, merge, or change locations before they can be recorded. The large size of the sector, combined with the diversity of organizational forms and activities that NGOs can undertake (national and international), and the difficulty of defining the range of relevant organizations (defining what an NGOs is), make it very difficult to find the bounds of the population and sample accurately (Bloodgood and Schmitz 2013).

The diversity of NGO structures and legal identities within and across countries creates problems for scholars and policymakers. Different terms are used in different countries to refer to the same characteristic, while the same term might mean different things transnationally. NGO is not a legal term, but can include civil society associations, cooperatives, non-profit corporations, charities, business associations, religious orders, and trade unions in different countries. It is thus unclear whether scholars using different lists of NGOs from different countries are comparing the same basket of organizations. This limits not only the comparability of empirical research across time and place, but also the basic lack of conceptual agreement on what constitutes an NGO and the basic features and functions of this category of organizations, which can prevent progress within the NGO research community in general.

One means to avoid problems of commensurability is to use the same survey instrument, with the same categories and definitions, across all organizations. The most commonly used INGO data comes from the Union of International Associations, which does just this. Organizations are contacted by UIA staff and asked to fill in annual questionnaires about their organization and activities. NGOs can also contact the UIA, now via their website (<https://uia.org/yearbook>), and complete the survey. The information, however, is self-reported and voluntary and there are limited mechanisms to guarantee the accuracy, completeness, and reliability of the data submitted by individual NGOs. While staff do check forms, and can ask for additional information, the UIA has no means to compel organizations to report. It has been very difficult to find accurate information on NGOs' potentially controversial activities or aspects, in particular their financing, donors, internal decision-making structures, and outputs/influence. NGOs have traditionally been reluctant to release this information systematically for fear that it might be used against them. National NGO registers and tax agencies, however, have the legal authority and enforcement capacity to make NGOs release such information in a standardized fashion (at least at the national level).

The most authoritative data on NGOs is thus collected at the national level, where tax, charity, or corporate register authorities have the ability to sanction organizations for false or incomplete reporting. Data are currently available from forty countries that require NGOs to register and report information in a standardized format to an oversight body (tax authority or charity register). Those organizations are required to register or file tax records according to their legal status as non-profits, associations, charities, public benefit organizations, or civil society organizations in a country. But each country has different categorizations and reporting requirements

for NGOs<sup>4</sup> and thus national sources are difficult and time consuming to combine. Lecy and Van Slyke (2013) and Mitchell (2013b) have used US tax data from the National Center of Charitable Statistics to examine INGO population dynamics within the US, while Phillips (2013) has used similar data from Canada. Significant problems arise from the different reporting requirements for associations, charities, non-profits, and NGOs across different countries. In some places, NGOs must report their international and domestic expenditures separately; in other places they must separate their financing from members, donors, grants, and money-making activities but not by source of income. The total income reported for an organization in the United States and Canada (much less Kenya and India) can thus include very different categories of income and may not be equivalent.

Existing quantitative work on NGOs focuses on relatively static examinations of large organizations (e.g. Stroup and Wong 2017) with little sense of whether the same findings transfer to small organizations or hold over time. Indeed, national agencies generally as a rule do not require organizations below a certain monetary threshold to report their information (Corderly 2013). Small organizations, with budgets below \$25,000, are thus not captured in official statistics. These may be the most dynamic and varied organizations, with the greatest sources of innovation and the most grassroots expertise. These are also the organizations most likely to fail to thrive and thus may be the shortest lived (Hannan and Freeman 1977). These are also the organizations that lack institutional or economic capacity to document their activities and impact, much less advertise this, extensively and so academics know the least about them.

The time- and effort-intensive nature of data collection, as well as the uncertainty over payback for this effort, have also made studies of organizational change over time or diffusion of NGO behaviors and effects difficult to find. For example, the most famous assessments of global populations of INGOs, including their characteristics and networks, use data from the UIA from the 1980s (Keck and Sikkink 1998; Boli and Thomas 1999; Murdie and Davis 2012b). In the ten years since the publication of this work, the vast majority of it has not been updated, with the Smith et al. studies of INGOs using UIA data under the term Transnational Social Movement Organizations as a notable exception (Smith et al. 2017). Political science and sociology scholars typically rely on long-term, labor-intensive coding using large numbers of research assistant hours. The time and resources required to collect data this way have limited the scope and range of NGO research in political science. For example, Boli and Thomas (1999) and Smith and Wiest (2005) use only the number of NGOs in a country from the UIA in order to examine the nature of social movement organizations over time. Boli and Thomas had to end their analysis in the mid-1980s given the difficulty of collecting data. Murdie and Davis (2012a), despite their use of sophisticated statistical and social network methods, were forced to use data from 1999 in their publications, released in the mid-2010s, due to the difficulty of collecting more recent data. Similarly, Carpenter (2007) and Dalton (1994) limit themselves to one issue area in order to cope with the data intensity of their projects. Tallberg et al. (2015) limit their study of INGO access to international organizations to a survey of 900 organizations (with a response rate of 47%) given their data demands. The TNGO project took five years, from start to finish, and produced a dataset of 152 international NGOs via computer-aided qualitative coding.

Ironically, while academic researchers struggle to collect data quickly enough to capture change in NGOs and NGO populations over time, NGO populations themselves are incredibly fluid and rapidly changing. A quick examination of the European Union Transparency Register<sup>5</sup> makes it clear that there is a high degree of turnover within NGO populations, as organizations are created and eliminated quickly and often (Bloodgood 2011; Halpin and Jordan 2009). Over the last five years, approximately 25% of organizations do not remain in the EUTR

from one year until the next. Change over time is thus important to assess empirically, within organizations and within national populations, and we need a means to build datasets across multiple countries over multiple years to allow the study of differences (and thus changes) across countries and over time.

### **Promise for moving the NGO data possibility frontier forward**

Political and technological developments in the last few years make a global NGO dataset, which stretches across time and countries, achievable now in ways that were not previously possible. First, non-profit data projects, academic and practitioner led, in the United States,<sup>6</sup> Canada,<sup>7</sup> and internationally,<sup>8</sup> have led the way in developing open data standards for subsets of NGOs (and other actors) building on Form 990 (US), T3010 (Canada), and granting data. New organizations dedicated to data collection for the improvement of NGO/non-profit performance and increased accountability to donors (CharityNavigator, GuideStar, BoardSource)<sup>9</sup> are expanding their scope both within and across countries and adding international components to their data collection.

Second, the open government data movement, with the support of the OECD,<sup>10</sup> has promoted the release of government data to the extent that governments feel more of an obligation than in the past. In addition to releasing the data, governments also need to establish and use data standards for the release and there is growing interest (if not momentum) in standardization in data releases across countries as well as individual government agencies. While it is a mixed blessing, new government regulation of NGOs in the last ten years has meant that there are more government registries of NGOs and more organizations are required to report more information more regularly. It is unclear whether scholars will be able to gain access to all of this data, however.

Third, the last few years have seen the rise of a new type of NGO, fueled by data scientists seeking to use the growing availability of data from governments, corporations, social media, and the internet. Organizations such as Data4Good, DataKind, PoweredbyData, the #GivingTuesday movement, 360Giving, Open Data Services, the International Aid Transparency Initiative (IATI), Global Giving, and the BRIDGE project are working to make data that might be used to improve philanthropy, social services, and civil society more readily available and useful.<sup>11</sup> Scholars, particularly in political science, are at risk of being left out of this movement, despite the benefits to our research of this greater data availability and the contributions we can make to applying this data to better understand NGOs' operations and impacts. Building a sense of community among quantitative NGO scholars, previously in the minority within political science and public administration, may empower them to play a larger role in building the NGO data ecosystem and might spur more interactions and exchanges of ideas between these research communities.

### **International NGO database**

I thus propose a new initiative to create a global, time-series database on NGOs building from authoritative national data sources to the global level by linking organizations' activities and national reporting requirements in a rigorous and systematic way. This project, the International NGO Database (IND), deliberately addresses specific shortcomings of the existing NGO data environment, namely comparability/commensurability, selection bias, voluntary reporting, and standardization. By drawing on existing national data, combined via computer software designed by Ajah to limit costs and time and that can be used repeatedly across time, the IND



generously funded by the Social Science Research Council of Canada can overcome collective action problems researchers otherwise face and provide the most comprehensive global database possible now and with the potential to expand over time.

National legal definitions of NGOs are used to identify the basic unit of analysis. NGOs are defined as private voluntary organizations with public benefit purposes. Each organization (national NGO or a national branch of an international NGO) will be given a unique identifying number to avoid confusion among similarly named organizations, confederations of organizations, or international NGOs with national branches in different countries (Stroup and Wong 2013). Related organizations (organizations in the same family) will be linked within their entries as national branches or members of a confederation or umbrella organization. The database will be built based on individual NGOs as the unit of analysis, with separate entries for each combination of NGO–country–year. National tax agencies and/or charity registries provide several types of information about NGOs, including geographic location(s), structure of operations and governance (board, CEO), resources (budgets and staff), financing and even donors, expenditures, activities (including political and foreign activities), issue area, website, and networks (in the form of funding relationships with foundations or other NGOs). The national datasets will be mapped onto a common model based on rules agreed by the team members. The lack of commensurability between data sources (Gronbjerg 2002; Bloodgood and Schmitz 2013) at both the conceptual and technical level requires extensive consultation among the experts most likely to use the data to decide the best way to link data sources. The development of software for data integration is also vital for the project. This will produce an unbalanced panel dataset that compiles all publicly available information on NGOs in our countries, covering as many fields as are possible for as many years as are available.

Additional data is drawn from international organizations (IGOs) that make public information about organizations with access to their decision-making forums or funding, namely the EU and the UN. The UN's iCOS and the EU's Transparency Register both release standardized information self-reported by NGOs to the IGO in return for access to participate in their respective bodies and activities. IGO data provide information on geographic location(s), home country, finances (in some cases), access to IGOs, IGO network, international activities, issues, website, and accountability commitments. IGO data will enable us to add organizations from countries beyond those that release systematic national data, increasing the geographic scope of the final database.

Finally, data from NGOs' websites themselves will be added, enabling the capture of additional indicators, including activities, governance structures, accountability mechanisms, and network partners. Using the websites of the NGOs listed in national registries or registered with the UN or EU, a webscraper will collect data on NGOs' founding date, mission statement, advocacy and/or service projects, locations, governance procedures, and networks (national chapters and NGO partners). Information will be extracted from individual organizations' websites and placed into fields (structured) according to ontologies agreed upon by the team members, who will create an agreed-upon set of equivalencies (conceptual and linguistic) for key information commonly featured on NGO websites. Programmers will then create algorithms to extract the website text related to each set of equivalencies (entities).

The IND will supply a common language for defining and measuring NGOs and a universal sampling frame to test current hypotheses in a rigorous and systematic fashion against representative samples of NGOs transnationally. The scale and scope of the project require a large research team, which serves as a stimulus for transnational research collaboration. Such collaboration helps to overcome previous geographic and conceptual boundaries that have caused some lines of scholarship to occur in parallel, while much might be learned by increased exchange of ideas.



The development of the IND will proceed in stages, beginning from an asset inventory and the development of an agreed-upon data dictionary. At each stage, documentation and data will be made available on the project website ([www.grnds.org](http://www.grnds.org)). The descriptions of data available currently from each country, i.e. the asset inventory, will be available by the end of 2019. The data dictionary, which defines each field and provides means to connect across national sources, will be available after it has been vetted and revised by the transnational NGO research community and non-profit data practitioners. The estimated release is mid-2020.

The final database holds enormous possibilities for scholars and practitioners to answer important questions about NGOs formation, structure, funding, operation, impacts, networks, and accountability. To what extent are NGOs nationally bounded or “footloose” international actors (Stroup 2012)? Are NGOs likely to grow more centralized and homogenous over time in the face of common challenges, national and international bureaucratic structures, and globalization (Boli and Thomas 1999; Stroup and Wong 2013; Davies 2014)? Is heterogeneity more conducive to effective, efficient, and robust NGOs (Stroup and Wong 2013; Hertel 2006)? Why do organizations that start on similar footing end up with widely divergent structures, funding portfolios, and influence (Lecy et al. 2010; Wong 2012; Stroup and Wong 2013)? Without consistent, commensurate data across national and international levels, and over time, these questions are impossible to answer.

## Notes

- 1 For a more in-depth comparative overview of the types of data available and their diversity of uses, see Bloodgood 2018.
- 2 <http://hrwa.cul.columbia.edu>.
- 3 [www.maxwell.syr.edu/Moynihan\\_TNGO.asp](http://www.maxwell.syr.edu/Moynihan_TNGO.asp).
- 4 For a discussion, see the Comparative Nonprofit Sector project at Johns Hopkins University.
- 5 <http://ec.europa.eu/transparencyregister>.
- 6 Nonprofit Open Data Collective, <https://aws.amazon.com/blogs/publicsector/how-the-nonprofit-open-data-collective-came-together-to-work-on-irs-990-data-in-the-cloud>; <https://dataverse.harvard.edu/dataverse/NIOD>; <https://github.com/lecy/Open-Data-for-Nonprofit-Research>.
- 7 Ajah Fundtracker, [www.ajah.ca/about](http://www.ajah.ca/about); Powered by Data, <https://poweredbydata.org>.
- 8 IATI, <http://iatistandard.org>; BRIDGE Registry, <https://bridge-registry.org/collaborative-bridge-project-makes-big-progress-toward-sharing-crucial-information-worldwide>; 360Giving, [www.threesixtygiving.org](http://www.threesixtygiving.org).
- 9 [www.charitynavigator.org](http://www.charitynavigator.org); [www.guidestar.org/Home.aspx](http://www.guidestar.org/Home.aspx); <https://boardsource.org>.
- 10 G8 Open Data Charter, <http://opendatacharter.net>.
- 11 <http://dataforgood.ca>; [www.datakind.org](http://www.datakind.org); [www.givingtuesday.org](http://www.givingtuesday.org); [www.threesixtygiving.org](http://www.threesixtygiving.org); <http://opendataservices.coop>; [www.globalgiving.org](http://www.globalgiving.org).

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## Part III

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# Feminist politics and NGO mobilization

## Can NGOs degender global governance?

*Paulina García-Del Moral, Di Wang, and Myra Marx Ferree*

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Domestic and international non-governmental organizations (NGOs/INGOs) for women's rights have their origins in the transnational women's movement that emerged at the turn of the 20th century (Ferree and Mueller 2004). Over the last 50 years, NGOs/INGOs have contributed massively to the construction and travel of global norms like gender equality, women's autonomy, and economic independence now associated with women's rights (Merry 2003). Yet, as feminist IR scholars have shown, though gender equality has become a legitimate global policymaking concern, social equity and justice remains elusive for most women and many men as militarization, securitization, and economic globalization become dominant concerns (Tripp, Ferree, and Ewig 2013; Runyan and Peterson 2014, 2). Can feminist mobilization through NGOs/INGOs degender global governance, effectively challenging the historical and contemporary symbolic and material processes underpinning global gendered power relations (Runyan and Peterson 2014, 256)?

To address this question, we focus on what NGOs actually are and do in practice, how they participate in global governance, and which kinds of gains and costs can be expected when women's rights movements organize at least partly through this form. We begin by clarifying what defines the NGO form and review the debate over "NGOization," the increased professionalization of NGOs vis-à-vis grassroots organizing (Alvarez 1999). We discuss how, in the context of neoliberalism, NGOs/INGOs mobilize and distribute social movement resources for differently positioned women in ways that matter for (de)gendering global governance. We consider then how NGOs/INGOs interpret and mobilize discourses on women's rights anchored in international law to change the global governance of gender.

### Conceptualizing feminist organizing through NGOs

What are NGOs? Feminist researchers often understand them as the more firmly institutionalized, bureaucratically organized, financially accountable forms of organizations into which social movements are transformed by the demands of their environments – the mix of governmental and market-based constraints and opportunities that shape collective forms of societal action over time (Ferree and Martin 1995). The resources on which they depend are material and discursive, and gains depend on political opportunities: the openness of political institutions,

the stability of elite alignments, the presence of elite allies, and the state's capacity for repression (McAdam 1996, 27–31). Opportunities are gendered (Ferree and Mueller 2004) and shaped by access to influential networks and symbolic events (Joachim 2007; Keck and Sikkink 1998).

More recently, feminist scholars have questioned the notion that NGOs are non-government, non-profit entities existing outside the state or the matrix of market logic (Bernal and Grewal 2014a, 6–11). Instead of defining the NGO form by “what it is not,” we view NGOs as gendered organizing forms that exist in continuity with the state (Bernal and Grewal 2014a, 8). This conceptualization highlights the heterogeneity of NGOs in how they are imbricated in a wide range of gendered state and neoliberal projects, legitimating what is outside the state “into a legible form within a governmentality that parallels official state power” (Bernal and Grewal 2014a, 8).

As Bernal and Grewal (2014a, 9) argue, the NGO as a gendered organizing form renders women, who are usually defined in relation to the private sphere, as recognizable global political subjects to states, donors, and international organizations (IOs) or intergovernmental organizations (IGOs). Consequently, NGOs simultaneously contest and uphold the gendered public/private divide that shapes how differently positioned women engage in political action, domestically and transnationally (García-Del Moral and Dersnah 2014; Guenther 2011). This paradox reflects neoliberalism's changing dynamics between states and markets. As the role of the state as a provider of public goods and services has shrunk, NGOs have stepped into such a public role as private entities, frequently reinforcing rather than disrupting societal reliance on women's paid and unpaid work to do so (Bernal and Grewal 2014a, 10; Neumann 2013; Thayer 2010).

At the same time, NGOs can only be marginally possible in some political configurations. In 2006, the Putin Administration signed into law a regulation to constrain foreign NGO funding (Johnson 2009, 16). In 2017, the Chinese government implemented a similar law on INGO management.<sup>1</sup> These examples suggest that researchers cannot assume the underlying liberal democratic global system, which has allowed INGOs to emerge and national NGOs to flourish. States pass laws that constrain NGOs as organizations, targeting their connections with IOs or IGOs. To date there is little research about how social movements in these countries survive these legal constraints and state repression (but see Chua 2015; Wang forthcoming). Repressive regimes become important sites for exploring the relationships between NGOs and social movement organizations less deterministically.

Taking these contextual and geopolitical factors seriously is necessary to avoid idealizing NGOs/INGOs as “capable of liberating communities and individuals from incompetent or oppressive states on the one hand and the grip of the market on the other” (Watkins, Swidler, and Hannan 2012, 286). By feminist organizing we understand “efforts led by women explicitly challenging women's subordination to men” (Ewig and Ferree 2013, 411). We further adopt an intersectional and transnational perspective that acknowledges both the multiple positionalities of individuals and organizations in hierarchies of power (Ferree and Mueller 2004, 578; Yuval-Davis 2006), and the mutual constitution of the global and the local (Ferree and Tripp 2006; Grewal and Kaplan 1994). Throughout, our discussion highlights the diversity of NGOs/INGOs as well as the various approaches and strategies that they employ to pursue this goal. Some incorporate a focus on women's empowerment as part of their work on development, peace building in post-conflict zones, or women's access to a variety of services. These organizations often engage in service provision in addition to other forms of advocacy, including lobbying. Other NGOs/INGOs, however, may have a more explicit focus on women's rights, as is the case for NGO feminist organizing around violence against women (VAW) and trafficking. The use of human rights frames and legal mobilization nationally and supranationally are often tactics that these NGOs/INGOs employ to bring about policy gains in these areas.

With a more realistic view of NGOs as organizations with diverse goals, constituencies, and access to resources that are contingent on the broader political environments in which NGOs/INGOS are located, we turn now to consider some consequences the NGO form may have.

## Debating NGOization

Feminist IR scholarship on women's rights emphasizes the influence of NGOs/INGOs on global and therefore domestic policy, be it through their interactions with IGOs and/or their participation in transnational advocacy networks (TANs) (Friedman 2009; Friedman, Hochstetler, and Clark 2005; Joachim 2007; Keck and Sikkink 1998; Tinker 1999; True 2003; Zwingel 2005). This literature has considered the impact the increased professionalization of NGOs/INGOs as producers of knowledge and expertise can have on the creation, evolution, and travel of norms on women's rights (Friedman 2003; Krook and True 2010; Meyer and Prügl 1999; Zwingel 2012) and the ability to hold states accountable for failing to uphold these norms (Friedman 2009; Merry 2003; Meyer 1999).

This literature acknowledges the hierarchies separating large-scale professionalized INGOS from smaller domestic NGOs in terms of resources and access to IGOs and the state (Keck and Sikkink 1998, 183; Tinker 1999), and the dangers of IGOs' co-optation of feminist discourses (True 2003). Yet, it has not fully engaged in the debate over whether professionalization entails NGOs' disconnect from the grassroots (but see Runyan and Peterson 2014). This debate, however, has been at the center of feminist social movement scholarship over the last two decades (see Ewig and Ferree 2013; Ferree and Martin 1995; Ferree and Mueller 2004). At its core is the assumption that "the grassroots" is the locus of radical social change. Although NGO professionalization may foster top-down donor-NGO relationships, and thus shape differential access to resources for feminist organizing, we ask whether it is this professionalization that limits the ability of feminist NGOs to challenge global gendered power relations.

### *NGOization and global gendered power relations*

The term "NGOization" captures the controversies spurred by the increased professionalization of women's rights NGOs and their proliferation since the late 1990s (Alvarez 1999, 2009; Bernal and Grewal eds. 2014; Hemment 2007; Jad 2007; Lang 1997; Lebon 1996). NGOization, however, does not refer to this proliferation but to the growing significance of "technical-advisory activities" over "movement work" in this organizational form (Alvarez 1999, 187; Thayer 2010, 67). Technical-advisory activities grew as NGOs gained more access to the United Nations (UN) and other IGOs, which required "professional organizational structures, action repertoires, and strategies necessary to address multi-level system of governance" (Della Porta, Kriesi, and Rucht 1999, 21). In the context of transnational advocacy against gender violence, for example, the UN relies on NGOs/INGOs to systematically document violations of women's rights to elaborate policy recommendations for states (Merry 2003).

Another source of professionalization in feminist NGOs was the downsized capacity for state service provision (Bernal and Grewal 2014a). For example, Alvarez (1999) describes how local governments, IGOs, and IOs came to expect feminist NGOs in Latin America to train poor and working-class women to provide services previously available through state agencies (Ewig 1999; Neumann 2013; Thayer 2010). NGOization thus formalized a mode of interaction between women's rights NGOs, states, and IGOs/IOs that misconstrued them as "surrogates for [feminist] civil society" and entitled them to resources unavailable to other feminist groups (Alvarez 1999, 183; Miller 2017).

The critics argue that the shift of feminist NGOs toward the production of expertise on gender policies, executing civil action projects, and delivering services to women came at the expense of sustaining an autonomous grassroots movement capable of challenging the state. In collaborating with rather than contesting state power, feminist NGOs fail to confront the intensification of social inequalities in the face of fiscal austerity and accountability imposed by IGOs/IOs or foreign donors (Alvarez 1999, 182; Ewig and Ferree 2013, 420; Lang 1997).

Social movement scholars point to the power relations produced by NGOs having priority access to resources for feminist organizing. Grassroots groups are less systematically structured and may rely primarily on volunteers. Professionalized NGOs usually have paid middle-class staff and institutionalized accountability procedures that render them legible to international donors, making them more likely to secure funds than grassroots groups (Lebon 2013). If this bureaucratized structure turns away volunteer activists, the gap between NGOs and grassroots groups grows (Coe 2015). And NGOization may produce an image of professional activists as self-interested actors prone to corruption (Tsetsura 2013). As NGOs become a dominant organizing form, critics worry not only about women's rights movements becoming more bureaucratic and less radical, but also about the socio-economic estrangement among differently positioned feminist organizations (Lebon 2013), and the co-optation of women's rights by states and IGOs/IOs through donor-NGO relationships (Silliman 1999).

The potential for such scenarios is stressed by feminist critiques foregrounding the intersection of feminist discourses with neoliberalism, global capital, and colonial/imperial logics (Boyle and Preves 2000; Costa 2014; Darwiche 1999; Incite! Women of Color against Violence 2009; Naples and Desai 2002; Mindry 2001; Mojab 2010; Sangtin Writers and Nagar 2006; Subramaniam 2007). According to Mojab (2010, 222), "feminists need to be cautious and critical of how the women's rights agenda benefits from imperialist rule," especially post-9/11. For Mojab (2010, 222), an anti-imperialist feminist perspective reveals how donor-driven initiatives to "build peace" and/or aid development in war or post-conflict zones are often a continuation of imperialist projects that rely on the depoliticization of anticolonial and anti-capitalist struggles.

With a focus on the Middle East, Abdho (2010) and Tadros (2010) employ such a perspective. They interrogate domestic NGOs' top-down implementation of Western donor-initiatives that narrowly construe women's empowerment as an individual matter, ignoring the structural dimensions of gender inequality. They show how these initiatives reproduce racialized notions of women in the Middle East who need saving by the West and leave the power of authoritarian regimes and their complicity in gender inequality intact. Chisthi (2010, 261) makes a similar argument in her work on development aid in post-war Afghanistan, further claiming that Western feminist analysis has yet to critique "the 'imported' regimes of masculine power and authority" underpinning the various "ideological, political, and military agendas" of IOs, foreign governments, and NGOs.

Likewise, Hemment (2014, 120) urges scholars "to interrogate our use of Western feminist models and concepts in order to be responsive to local knowledge and to achieve truly democratic transnational engagements." Hemment (2014, 138) problematizes the construction of "crisis centers" by feminist NGOs in post-Soviet Russia as an outcome of Western donors' initiatives that made "gender and violence a marker of development," but remained blind to the exacerbating effects of neoliberalism on local women's lives. Though aware of this contradiction, Hemment (2014, 139) shows how crisis centers constructed women's "self-help" and "self-reliance" as solutions to violence, "screening out" local meanings of violence as rooted in material inequalities and removing the expectation of state intervention. Indeed, Subramaniam (2007) identifies how such discourses reflect the hegemony of Western knowledge and its reproduction through donor-NGO relationships.

The transnational impact on NGOization on the relationship between differently positioned feminist activists is at the center of Thayer's (2010) work. Focusing on Brazil, Thayer (2010, 130) argues that the unequal flow and distribution of funds or expertise among women's organizations not only reproduces intersectional inequalities, but also creates "a kind of parallel 'social movement market,' which influences both the internal functioning of particular organizations and their relations with allies in the [feminist] counterpublic." For Thayer, such social movement marketization threatens the autonomy of women's rights organizations, since the financial contributions from international donors make them accountable to them as opposed to their constituencies (Bagić 2006; Incite! Women of Color against Violence 2009; Miller 2017; Yuval-Davis 2006). Moreover, as Heideman (2013) argues, the positionality of NGOs, their staff, and constituents in transnational, intersectional power hierarchies affects project sustainability. When NGOs and staff occupy marginalized positions within such hierarchies, they are more vulnerable to donors' top-down decisions and are less likely survive in the longer term, especially when facing inevitable funding withdrawal (Heideman 2016).

Yet Heideman (2013) further found that constituents are not entirely powerless when it comes to holding NGOs accountable. NGOs can lose their local legitimacy when constituents perceive them to be too dependent on international funders. The relationship between professionalized NGOs and grassroots groups is not only more complex, but transnational flows of resources, though asymmetrical, are not unidirectional (Helms 2014). Although money and expertise may often come from the global to the local, local actors also participate in transnational networks and organizations (Johnson 2009; Sperling, Ferree, and Risman 2001; Tripp 2005). As such, they are influential actors in shaping competing interests and connecting global exchanges among actors. Against this background, some scholars have revisited the concept of NGOization.

### ***Empowerment despite NGOization?***

There are different positions among those scholars who have revisited the concept of NGOization. Some, like Alvarez (2009), have claimed that NGOs are leaving technical-advisory activities behind, leading to the decline of NGOization. In Latin America, Alvarez has linked this shift to changes in the factors behind its "boom," as well as in the "hybrid" nature of feminist NGOs that allows the coexistence of professionalization with "movement work." Recently, "movement work" has come back to NGOs' forefront, redeploying the policy gains made through professionalized strategies to articulate new claims (Alvarez 2009, 178).

For other scholars, NGOization entails pitfalls and opportunities for feminist organizing, depending on their socio-political contexts (Bernal and Grewal 2014; Helms 2014; Roy 2015). For example, Guenther's (2011, 870) analysis of NGOization in post-socialist Eastern Europe shows that providing service and advocacy work are not inherently separate NGO tactics. Though Guenther (2011, 877) acknowledges that professionalized NGOs tend not to challenge the state, she highlights how they have fostered "critical countercultures and political positions" in the absence of a history of mass grassroots mobilizations in those societies. Equating this with depoliticization obscures the significant policy gains made through professionalized organizing, and how employment in women's NGOs may be an act of resistance for women being pushed back into the domestic realm. In turn, Nazneen and Sultan (2009) qualify the impact of NGOization in Bangladesh by documenting how larger-scale NGOs may be better able to negotiate foreign donor agendas and retain both their autonomy and feminist character than smaller, grassroots organizations. Still suspicious of NGOs' potential for depoliticization, Nazneen and Sultan nonetheless identify the appeal of the alternative feminist spaces that NGOs have created for younger women.

On their part, Asaki and Hayes (2011) illustrate how women's NGOs in Kenya, Brazil, and Peru support the initiatives of grassroots women. They argue for viewing grassroots women not as "beneficiaries" or "clients" of NGOs, but as leaders who have found support through NGOs and their resources. Lakkimsetti's (2014) research on the reconfigured relationship between sex workers and the Indian state in the context of the HIV/AIDS epidemic supports this finding. INGOs and experts were instrumental in empowering sex workers at the grassroots, recognizing them as important participants in HIV/AIDS prevention projects. Legitimized as partners as opposed to "beneficiaries" of such projects, sex workers became both entitled to resources and empowered to make claims against the Indian state that would not have otherwise been possible.

This research suggests that it is the "overdetermined NGOization paradigm" that must be left behind, not NGOs as a way of feminist organizing (Bernal and Grewal 2014b; Hodžić 2014; Roy 2015). For Hodžić (2014), the NGOization paradigm is problematic because it posits a universalist construction of opposition to the state through anti-institutional means, imagined as mass grassroots mobilization, as the purest form of feminist resistance. Such imagined purity ignores how grassroots movements are themselves often exclusive and abusive (Freeman 1973) and may be homogeneous in ways that obscure the intersectional nature of gender issues (Prügl 2015). Idealization may also arise from an anti-institutionalist master narrative that sees hierarchy as male (Ferguson 1991) and bureaucratized forms like professionalized NGOs as always harmful for women's rights (Hodžić 2014, 223).

In sum, there is a complex interplay of resources, opportunities, and expectations at work as feminists organize as NGOs and establish relationships to donors. The primary focus of critique has been on the effects of resources and expertise in constraining what impact NGOs can have, especially for marginalized women. Scholars have also shown that professionalized NGOs can be implicated in sustaining global gendered power relations. Yet, the more positive view also warns that the resource environments on which NGOs depend are complex and changing, providing organizations with other sets of opportunities to empower differently positioned women and contest global inequalities. This is especially the case when considering what kinds of effects on norms, discourses, and laws can be attained through feminist NGO/INGO work at the transnational level.

## **Changing the global governance of gender**

Feminist NGOs/INGOs have become transnational in their participation in a global chain of governance, not only through flows of material resources and networks, but also through specific efforts to alter discourses about women, gender, and rights (Miller 2017; Thayer 2010; Watkins, Swidler, and Hannan 2012). The creation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and other international and regional treaties is a testament to this. We thus argue that feminist NGOs/INGOs have contributed to changing the global governance of gender. Building on our discussion on NGOization, this section reviews the feminist interdisciplinary literature on NGOs/INGOs' role in facilitating women's claimsmaking in local and transnational arenas. The issue of violence against women (VAW) is our entry point to discuss the gains of feminist NGOs/INGOs, but also the controversies associated with their local implementation and/or NGO/INGO intervention.

## **The gains and costs of feminist NGO organizing against VAW**

The recognition that women's rights enjoy globally is the product of transnational feminist organizing as grassroots, NGOs/INGOs, and TANs. Serving as an "unlikely godmother"



(Snyder 2006), the UN created the Commission on the Status of Women (CSW) in 1946. The CSW later sponsored three world conferences on women in Mexico City (1975), Copenhagen (1980), Nairobi (1985) as part of the UN Decade for Women (1975–1985), and a fourth conference in Beijing (1995). While North–South tensions about what constitutes women’s empowerment played out at these conferences, they nevertheless operated as transnational opportunities that legitimated the role of feminist NGOs on women’s issues (Ewig and Ferree 2013; Tripp 2006). It was in Mexico City that over 6,000 NGO representatives participated in a parallel forum to the conference, creating a momentum for the transnational women’s rights movement. Twenty years later, the attendance increased to 35,000 (Liu 2006), magnifying feminist activists’ ability to pressure the UN and governments to address women’s concerns in the CSW and parallel NGO forums that now happen annually. NGO participation in parallel forums, however, is contingent on having UN consultative status that may not be attainable to resource-poor NGOs (Merry 2003, 970).

The UN General Assembly’s adoption of the CEDAW in 1979 reflects the power of feminist organizing, as does the subsequent development of other international legal instruments that framed violence against women as a human rights issue in the 1990s (see Friedman 2003; Joachim 2007; Liu 2006; Peters and Wolper 1995; Snyder 2006). Consisting of a preamble and 30 articles, CEDAW defines what constitutes gender discrimination and creates binding legal obligations for states to take measures against it. Member countries are required to submit national reports once every four years to the committee overseeing its domestic implementation (CEDAW Committee). To date, 188 states have ratified CEDAW, with the exception of the United States and five other countries.

Yet, CEDAW did not include provisions to address VAW until 1992. As Keck and Sikkink (1998) have documented, women’s rights NGOs, INGOs, grassroots groups, lawyers, femocrats, and academics across the world came together as a transnational network to advocate for a reconceptualization of human rights that would recognize the gendered politics of violence. As a result, the CEDAW issued its 1992 General Recommendation No. 19 on VAW, followed by the non-binding 1993 Declaration on the Elimination of Violence against Women (DEVAW). Moreover, the 1995 Beijing Platform for Action (PFA) cemented the official status of women’s rights as human rights. The PFA was supported by 189 states and constitutes “the most pro-women agenda ever produced by the world’s governments” (Liu 2006, 924). Importantly, it identified VAW as a “critical area of concern,” specifying steps states should take as part of their CEDAW obligations. A year earlier, in 1994, the Inter-American Commission on Women, which is part of the Organization of American States (OAS), created the first legally binding treaty on VAW: the Inter-American Convention on the Prevention, Punishment, and Eradication of Violence against Women (Belém Do Pará Convention) (Friedman 2009; Meyer 1999).

These achievements, according to Joachim (2007, 143), are the outcome of the “dynamic interaction of two factors: the political opportunity structure in which international women’s organizations were embedded and the institutional and ideational resources that these organizations mobilized through time.” The world conferences that were part of the UN Decade for Women (1975–1985) constituted the first political opportunity structure to introduce gender and a concern with VAW to shape the human rights agenda. Despite the above-mentioned tensions between Northern and Southern women’s organizations as well as shifting Cold War politics, these conferences provided differently positioned women and organizations with a platform to draw attention to the issue of VAW (see also Friedman 2003; Peters and Wolper 1995). Other UN world conferences in the early 1990s, especially on human rights in Vienna 1993, and later the Beijing conference in 1995, provided further opportunities. The resulting emergence of transnational networks spurred the production of information and expertise on



different forms of VAW across various national contexts and the creation of alliances within and outside the UN, strengthening lobbying efforts that targeted UN member states as well as UN agencies to recognize VAW as a human rights issue (Joachim 2007).

Salient here in particular is the resonance of this human rights frame through which women's organizations politicized VAW and mobilized an international constituency (Bunch and Reilly 1994), especially in the aftermath of the systematic use of sexual violence in the armed conflicts in the former Yugoslavia and Rwanda (Joachim 2007; Keck and Sikkink 1998). This resonance ultimately resulted in legitimization and diffusion of this issue, and thus in its institutionalization (Joachim 2007). Similar dynamics were at play in the OAS; indeed they were part of the same efforts of transnational feminist organizing (Friedman 2009; Keck and Sikkink 1998; Meyer 1999; see also García-Del Moral and Dersnah 2014).

However, enforcing the CEDAW and DEVAW poses challenges for the CEDAW Committee. First, states may not always submit reports on time, reports may be superficial, or they may use ideas about culture and tradition as unchanging to excuse states' shortcomings (Merry 2003). Second, only few states have ratified the 1999 CEDAW's Optional Protocol allowing individuals and/or NGOs to submit complaints. Last, while women's rights NGOs can contribute by submitting "shadow reports" documenting states' shortcomings, the CEDAW Committee can only make non-binding recommendations to states. But weak enforcement is less important than the role of CEDAW in "defin[ing] and naming problems and articulat[ing] solutions within a prestigious global forum" (Merry 2003, 943). Accordingly, feminist NGOs "name and shame" states for failing to address VAW at CEDAW hearings to undermine their resistance to changing discriminatory practices (Merry 2003, 959). Nonetheless, this tactic may reproduce gendered notions of modernity and civilization associated with Western as opposed to non-Western states (Boyle and Preves 2000; Merry 2003, 2006). Furthermore, recourse to the CEDAW Committee may only be within the reach of professionalized NGOs/INGOs.

Without explicitly addressing NGOization, the work on vernacularization (Levitt and Merry 2009; Merry 2006) identifies this last point as a disconnect between professionalized NGOs and the grassroots. Levitt and Merry (2009, 441) define vernacularization as "the process of appropriation and local adoption of globally generated ideas and strategies." Translators or "vernacularizers" are usually national and transnational elites, who can use their privileged position in NGOs or TANs to move from the global to the local and frame global ideas about women's human rights to fit local contexts (Levitt and Merry 2009, 446). While vernacularization challenges gender inequality by changing the local legal consciousness, Merry (2006, 134) claims "grassroots groups are the ultimate target of these efforts, [but] not typically the translators." The corollary of this argument is that elites are better positioned to act as translators and more likely to engage in transnational human rights advocacy. Consequently, they can better influence global and domestic gender policymaking than grassroots activists.

The frames that women's rights NGOs/INGOs use to encourage local claimsmaking or push the state to act are not always welcome or ethical. Choo's (2013) and Kinney's (2013) work on feminist NGO/INGO advocacy for migrant women's rights in Asia exemplifies this. NGOs use frames of victimization and trafficking based on the discourse of VAW as a human rights violation to challenge victim-blaming practices that target migrant women who participate in cross-border marriages or sex commerce in South Korea (Choo 2013). In Thailand, INGOs use these frames to connect the rights of trafficked migrant women with the state's interests in national security and criminalizing trafficking (Kinney 2013, 82). In both contexts, this framing has made services and resources available to migrant women. But in South Korea women have often refused being framed as victims to be rescued rather than women who are taking steps to

control and improve their own lives (Choo 2013). In Thailand, this frame puts migrant women in a dilemma, asking them to accept that they are criminals because they are selling sex, or that they are powerless victims of trafficking (Kinney 2013, 95). Thus, the translation of women's human rights into local contexts should not only entail vernacularization, but a negotiation of identities and ethics among all the actors (Chua 2015; Ong 2011).

The predominant focus on the UN, CEDAW's weak enforcement, or vernacularization in the literature reviewed thus far has obscured other gains that feminist NGOs, in partnership with grassroots activists and INGOs, have achieved to hold states responsible for VAW in the Inter-American and European human rights systems (García-Del Moral and Dersnah 2014; García-Del Moral 2015; Santos 2007). Calling into question the professionalized NGO/grassroots divide, García-Del Moral (2015, 2016b) shows how grassroots groups have used the Inter-American Court of Human Rights (IACtHR) to make claims against the Mexican state for failing to address the killings of hundreds of women in Ciudad Juárez. In this case, the mothers of murdered and missing women and other grassroots activists actively created and were empowered by transnational ties with feminist and human rights NGOs/INGOs (García-Del Moral 2015, 2016b). Their legal successes in the Inter-American system and their domestic implications did not come at the expense of movement radicalism (García-Del Moral 2016a). Moreover, grassroots feminists were able to expand understandings of state responsibility for gender violence in international law by identifying the state's complicity in sustaining structural conditions that foster gender discrimination at the root of such violence.

Also obscured by the literature's near-exclusive UN focus is the recursivity that exists between the Inter-American, European, and UN systems, and how feminist NGOs/INGOs have taken advantage of it in order to institutionalize women's rights. García-Del Moral and Dersnah (2014), for example, illustrate how the norm of state responsibility for domestic violence under international human rights law evolved as feminists, lawyers, and activists working for NGOs/INGOs, the UN, and regional systems employed formal legal and professionalized strategies to combat the historical depoliticization of domestic violence as a private issue. The legal gains in each system led the Council of Europe (CoE) that governs the European human rights system to pass its own Convention on Preventing and Punishing Violence against Women and Domestic Violence (Istanbul Convention) in 2011. This is now the second legally binding international treaty on VAW. Interestingly, the European Union (EU) adopted this Convention in 2017, strengthening the norm and likely deepening its implementation in European states.<sup>2</sup>

On the one hand, these developments echo what Conti (in progress) has called the "transnational state-ness" of international courts and supranational governance structures like the EU or the OAS. Conti suggests that, as "new forms and loci of political power," these entities may exhibit qualities traditionally associated with states. As such, they have functioned as springboards for feminist NGOs/INGOs to change the global governance of gender. On the other, these gains are linked the "movementization of NGOs" (Helms 2014); that is, NGOs' role in spurring transnational feminist mobilizations that seek to empower women by changing how they relate to states and IGOs (García-Del Moral and Dersnah 2014).

In sum, transnational feminist organizing as NGOs/INGOs has achieved international legal gains that explicitly politicize VAW locally and globally and link women's empowerment to the dismantling of structural inequalities. International instruments and norms, IGOs, and international courts are transnational spaces in and through which feminist activists, including women at the grassroots, have contested the governance of gender. These gains are significant materially and symbolically; however, their local deployment could still rely on frames or strategies that may not accurately capture the complex realities of differently positioned women. This suggests that the impact of gendered local and global changes, though mutually constituted, is not only

context dependent (Liu 2006), but also requires that feminist NGOs attend to intersectionality to challenge global gendered power relations.

## Conclusion

Conceptualizing the NGO as a form of feminist organizing embedded in gendered state and neoliberal projects renders impossible a universal or one-size-fits-all answer about their role in degendering global governance. Changing the global governance of gender is only one step toward its degendering. As Runyan and Peterson (2014, 258) argue, “degendering involves vigilance against the too-easy answers of ‘problem-solving’ policy responses that are promulgated by elite decision-makers . . . rather than addressing what keeps (re)producing systemic problems.” Empowering women through changes in international law or the creation of norms on women’s rights can only go so far if women make claims in conditions marked by the inequalities of neoliberalism, global capital, and/or ongoing imperialism or, alternatively, if policies based on such laws and discourses do not attend to the intersectionality of gender. These scenarios are more likely to take place when NGOs intervene without being critical about their own position in global gendered hierarchies and their relationship to donor or state interests.

Nevertheless, an “overdetermined NGOization paradigm” obscures how NGOs sustain the transnational women’s rights movement. This paradigm fetishizes autonomy and the grassroots (Bernal and Grewal 2014b, 305; Hodžić 2014, 244), ignoring the porosity between movements and institutions, and neglecting analysis of other historical and geopolitical factors. It also fails to recognize the “great diversity and fluidity in the manner in which NGOs actually operate in relation to different publics and at different scales of intervention” (Roy 2015, 111). Acknowledging this diversity is ultimately important for turning our attention from the NGOization of feminism to what Helms (2014) has called the “movementization of NGOs.” Such “movementization of NGOs” is evident in the ways in which NGOs have fostered women’s empowerment through formal legal or professionalized processes to recourse to international courts and other supranational structures of global governance. The NGOization paradigm, however, ignores grassroots women’s participation and leadership in changing the global governance of gender through such processes.

Against this background, what are the implications of the NGOization debate for feminist IR scholarship on women’s rights NGOs? We argue that it may complicate how feminist IR scholars conceptualize the relationship between NGOs and multi-scalar social, political, and legal change through the creation, travel, and institutionalization of norms. We suggest that feminist IR scholarship can pursue the following questions in future research: if the grassroots are the locus of radical social change and NGOs are disconnected from them, what are the implications for the ways in which these NGOs construct norms or advocate for women’s rights? Alternatively, if feminist IR scholarship takes the hybrid nature of NGOs seriously, how can it incorporate a focus on their “movementization” as opposed to their technical-advisory activities? Can this “movementization” bridge vernacularization and legal mobilization in international courts or other supranational quasi-legal institutions? And last but not least, what is the impact of women at the grassroots on norm construction and global and domestic policymaking?

## Notes

1 <http://politics.people.com.cn/n1/2016/0429/c1001-28313123.html>.

2 [https://eeas.europa.eu/delegations/council-europe/28130/eu-signs-istanbul-convention-13-june-2017\\_en](https://eeas.europa.eu/delegations/council-europe/28130/eu-signs-istanbul-convention-13-june-2017_en).

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# NGOs and labour

*Bob Reinalda*

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Non-governmental organizations (NGOs) and labour have been discussed as representatives of so-called ‘new’ and ‘old’ social movements. This chapter, however, starts from a different point of view, by comparing transnational advocacy networks and international labour during the nineteenth century in order to show essential differences in international attitude that are relevant for understanding labour’s later international development. The chapter also attempts to reach beyond the European and North American assumptions and restrictions that are related to international labour. Finally, it does not restrict itself to *transnational* ties, i.e. relations between private actors from several nation-states, but includes *international* ties, i.e. relations between NGOs and labour on the one hand and inter-governmental organizations (IGOs) on the other.

While labour organizations within countries (political parties, trade unions and cooperatives) are not considered to be NGOs, the international federations they create (mostly trade unions) are seen as international NGOs. With the rise of the wage labour market in the industrial era, it took time before labour organized internationally in the form of ‘Internationals’, in which trade unionism was subordinate to the political movement. International labour regulation was not on the unions’ agenda until the International Labour Organization provided an instrument against the ‘race to the bottom’ that resulted from unlimited trade competition between countries. Unlike the transnational advocacy networks of NGOs, international trade unionism has nationality and the coordination of national views, rather than professional issues, as the basis for its international activism and it has a top-down, rather than bottom-up, way of working. These differences matter when international unions and NGOs operate in the same field, with international trade secretariats, now known as global union federations and participating in transnational labour networks, most willing and prepared to cooperate with NGOs. The chapter is arranged chronologically and covers the period from the late eighteenth century until the present day.

## **Early transnational advocacy networks**

The creation of issue-oriented private societies, against slavery or poverty, from the mid-eighteenth century onwards began with small groups of citizens becoming aware of ethical and social problems. They assumed that part of the solution was to form societies and associations

aiming to deal with these problems (Tilly 2004; Davies 2013). Their group activities often included appeals to local and national authorities. Once aware that several states faced similar problems, transnational contacts such as correspondence, visits and meetings resulted in private transnational networks. The process was assisted by the rise of the middle classes, an increase in the number of people with the time, education and resources to take part in such activities, and the improvement in transport and communication systems, as well as by public debates about revolutionary developments and their aftermaths in the United States (US) (1776) and France (1789).

Ethical arguments against slavery were expressed by concerned Quakers, Mennonites and Methodists, as well as by people appealing to the ideals of the Enlightenment. Other arguments were economic in nature, since, in line with Adam Smith's new liberal ideas, the modern economy would profit more from workers in a free labour market than from old types of labour such as slavery. The British anti-slavery movement met with great sympathy, with 400,000 people signing petitions against the slave trade in 1791–92 and 750,000 in 1814 (Keck and Sikkink 1998: 44). In order to stop the transatlantic slave trade by European states, the movement presented 800 petitions to the House of Commons, spurring the government into pressing for action at the Congress of Vienna (1814–15), which had to settle the end of the Napoleonic wars, by including the issue on the agenda. The foreign secretary addressed this unusual issue in Vienna as well as possible. The congress adopted a declaration in favour of universal abolition of the slave trade (a first internationally agreed-upon principle formulated with the intent of changing an existing situation) and several countries that were given British compensation agreed to abolish the trade (Reinalda 2009: 40).

During the 1830s British and American anti-slavery societies grew into widely supported social movements. Transatlantic ties among Christian groups enabled an information exchange, in which tactical recipes and collective action repertoires were diffused, including reference to the Vienna declaration. In 1839 the British and Foreign Anti-Slavery Society was established, aimed at changing public opinion. It organized well-attended international conferences in 1840 and 1843 and began to send delegations to Continental states and the US in order to encourage citizens to establish more societies and to pressurize their governments. The use of information politics (the promotion of change by publicly reporting facts) was one of the main tactics. This public pressure was intended to hold a government to account for situations and to create debates about causes and solutions. The resulting European and North American anti-slavery campaign met the definition of a 'transnational advocacy network' as 'a set of relevant organizations working internationally with shared values, a common discourse, and dense exchanges of information' (Keck and Sikkink 1998: 46).

During the 1840s the anti-slavery network inspired and supported the peace movement to also develop transnationally by establishing national peace societies and convening international congresses. Those advocating peace similarly found their inspiration in a critical religious conviction and in free trade as economic policy and they promoted the principle of arbitration as a means for the settlement of international disputes (Reinalda 2009: 43–47).

## **Workers' protest and social ideas**

Before the industrial era forms of collective action by lower classes were riots, insurrections and uproars, often as a result of deprivation, such as hunger and unfair treatment, and sometimes inspired by religious or political ideas. Actions were mostly spontaneous and impulsive and often violent, but also included petitions addressed to authorities. Leadership remained restricted and, given the personal repercussions, dangerous.

Collective action during the industrial era included both actions by workers and ideas about labour's desired position in society, with organizations as instruments to create change. The French Revolution and its aftermath led early French Socialists, among them Henri de Saint-Simon, to 'visualize an industrial society wherein equality of economic opportunity would prevail and wherein no man would be able to live off the labor of his fellows'. The majority of them believed it necessary 'to present a plan for social salvation, begin to experiment on a small scale, interest powerful men in its development, and extend it to the masses' (Laidler 1948: 45). The success of the Industrial Revolution in the United Kingdom increased the wealth of the manufacturers, but left the workers with unemployment, misery and starvation. This gave rise to numerous groups of working men who clashed with the government, which did not tolerate violent upheaval (the Luddite protests were suppressed through force and trials) and in 1819 passed acts to stop public agitation. As a pioneer of the cooperative movement, British industrialist Robert Owen tried to show that good labour conditions and wages were consistent with business success, believing that the combination of work and social life could transform the nature of capitalism.

During the first half of the nineteenth century the democratic movements in favour of workers' rights and women's rights did not grow into transnational advocacy networks. National developments included publications (e.g. favouring women's rights), Saint-Simonist experiments, reform movements (such as Chartism), early forms of trade unionism and revolts (e.g. in 1848), but there were no societies cooperating across borders with shared values, a common discourse and an exchange of information. The call of two German Socialists in a manifesto they had written at the request of a German workers' organization in London, and published there in 1848 – 'Working men of all countries, unite!' – thus was premature. The International Association, founded in London in 1855 by Continental refugees and British Chartists, was a first organizational attempt, but it dissolved in 1859, due to political differences between Democrats, Socialists and Anarchists (Lehning 1938).

## The First International of 1864

Workers began to act transnationally during the 1860s. Workers from France and Germany were among the visitors at the London World Exhibition of 1862 (Reinalda 2009: 147–148). Looking for workers' support, the French government had enabled 750 working men to travel to the exhibition, where they met representatives of British trade unions. German workers met with politically engaged German emigrants. Making use of these new contacts, British trade union leaders, a delegation of French workers and representatives of Polish and German workers in 1864 founded the International Working Men's Association, which later became known as the First International. A Central Council was established, consisting of representatives from the countries, to set up national committees in their capitals and to investigate the conditions and needs of workers by means of international congresses.

A German emigrant, who had just finished an extensive study of the rise of modern capitalism, set himself up as a strategist on the commission that had to draw up the articles of association and a programme. He explained the International's objectives in an *Inaugural Address*, ending with the same call as the *Communist Manifesto* of 1848, cited above. The address urged workers to organize, with the aim of winning political power so as to achieve the working class's emancipation and a Socialist reorganization of society. The International convened a number of international congresses, which supported the already emerging foundation of trade unions and political organizations by workers. However, both congresses and Central Council meetings were characterized by fierce differences of opinion about the purposes and methods to be used. These political frictions

became worse, as the International in essence was an association of people and not a federation of organizations. During debates only a few people, rather than the delegates of local or national organizations, imposed their views. Karl Marx was not averse to sharply criticizing those political currents he disapproved of and showing them in a bad light by using negative qualifications such as 'utopian' and 'impractical'. Within the Central Council he pushed what he believed was a sound doctrine, if necessary by intrigue. In 1872 he countered the substantial Anarchist influence by his proposal to transfer the Council's seat to New York. The congress agreed and the International in effect ceased to exist.

While NGOs had used the term 'international' since the 1830s (Davies 2013: 30), the First International succeeded in bringing the word 'International' into the dictionary, in the sense both of joining together internationally and of a political threat (due to its support of the Paris Commune uprising of 1871). It distinguished itself from transnational advocacy networks, such as the anti-slavery and peace movements, which urged people at grassroots level to establish transnational relations to exchange ideas and to learn from each other's experience. All such bottom-up elements were lacking in the International, which was dominated by a few leaders.

Unlike the International, both the peace movement and the women's movement developed into transnational and international actors (Reinalda 2009: 148–153). The International League for Peace and Freedom (ILPF) of 1867, which also attracted many workers, relied primarily on an enlightened middle class and favoured Liberal reforms of the economy and the separation of church and state. It promoted debate and transnational ties among its members and laid the foundation for international action by parliamentarians in favour of arbitration, which eventually contributed to the creation of the Permanent Court of Arbitration by the inter-governmental Hague Peace Conference of 1899.

The ILPF allowed women to participate in, and speak at, its congresses. Marie Goegg-Pouchoulin felt encouraged to establish the International Alliance of Women (IAW) in 1868 and, as IAW president, was the first woman to address the ILPF congress and to become ILPF treasurer. Both events were unprecedented feats. Goegg-Pouchoulin's effort during the same year to also contribute to debates within the First International failed, since the International was not convinced of the necessity of paying particular attention to the position of women. The IAW marked the beginning of transnational ties between women's organizations in several fields (e.g. prostitution and women's suffrage) and actions resulting in international conventions (e.g. against trafficking in women, 1904).

## **The Second International's national orientation (1889–1914)**

The Second International of 1889 did not develop into a transnational advocacy network either and remained a fairly slight Socialist actor. It showed itself by organizing international congresses every few years, had no secretariat or executive body and the resolutions adopted at congresses were not binding. Its core consisted of European parties, with weak representation from India, Japan and the US. The Bureau that was established in 1900 served mainly as a clearinghouse for information and correspondence. The strongest signal given by this International was the arranging of an international demonstration on 1 May 1890 in favour of the eight-hour working day, a demand addressed to both employers and governments, thus laying the foundation for the international Socialist tradition of May Day, with its strong connotation of 'international solidarity'.

Congresses, however, were dominated by differences of opinion, with two main issues: the transformation from capitalist to Socialist production and property relations and participation in parliamentary and legislative work. The national political systems provided the main context

for these debates, because most workers were still excluded from existing suffrage arrangements. The theoretical debates were dominated by the Germans, with the French as their main opponents, and included the 'revisionist' question of whether capitalism could be transformed gradually, if it was not abolished at once. The creation of international trade (union) secretariats in the 1890s and an international secretariat of national trade union federations in 1901 showed the same organizational weakness and national orientation as the Second International, which also kept responsibility for all political and policy aspects of international trade unionism.

The Second International's main characteristic was that it internationalized the internal controversies of its member parties, rather than affecting its member parties through common policies or bringing about joint action against governments or at inter-governmental level. This made the Second International a reflection of the development of its individual member parties, as was painfully demonstrated in August 1914, when a majority of national parties opted for national defence and the International proved incapable of being a guarantor against war, as it had always promised.

### **The International Association for Labour Legislation (1900)**

That governments became interested in international labour regulation was not a consequence of the international labour movement, although the mere fact of workers organizing nationally and internationally contributed to the process. It rather was brought about by socially engaged employers, economists and lawyers, as well as an international NGO based on their ideas. The first to argue for international labour legislation was Robert Owen, who had concluded that modern industrial capitalism was creating an international problem which could be solved multilaterally by setting the legal limits of the normal working day for the industrial classes of Europe. In 1818 he travelled to the diplomatic follow-up conference after the Congress of Vienna in Aix-la-Chapelle in order to explain his views to the governmental representatives. However, he was ahead of his time, as these representatives did not understand him and took him for an eccentric (Lyons 1963: 136). In 1833 British entrepreneur Charles Hindley reached the same conclusion as Owen and so did French economist Jérôme Blanqui in 1840. During the 1840s experts argued that reforming labour legislation internationally might help avert revolution, while during the 1850s the benefit of associations in improving social conditions was acknowledged.

Governments became more aware of the social dimensions of their national economies, due to the increasing pace of modern industrialism and the mounting pressure of international competition. In 1877 Switzerland's government publicly announced the possibility of concluding a series of treaties with other states in order to harmonize factory legislation, but, when exploring this in 1881, met with unwillingness. During the 1880s the idea of international labour legislation became more widely accepted and the Swiss government prepared a conference in May 1890, but saw its plans upset by the German emperor who managed to organize a conference in Berlin in March 1890. The Swiss had further-reaching ideas than the Germans, such as a convention and a monitoring bureau, but most governments supported the German proposals. The Berlin conference received wide publicity and the very fact that an official diplomatic conference had gathered on the issue implied that governments were taking labour regulation more seriously.

The thread was taken up again in 1897, when an international trade union congress on labour protection asked the Swiss government to invite other states to consider setting up an international labour office. Almost simultaneously a group of lawyers and economists from France, Germany and Switzerland drafted the statutes of a government-oriented international NGO.

The resulting International Association for Labour Legislation (IALL) of 1900 had national sections and an office in Basel. The IALL decided to limit its immediate objectives regarding international conventions to two widely recognized issues (night work for women and the use of industrial poisons), enabling the Office to investigate them and make recommendations to governments. Governments appreciated the IALL's expert work and sent more official observers to its conferences. The adoption of the first two international labour conventions at a diplomatic conference in 1906 (and the preparation of more conventions) resulted from both Swiss diplomatic expediency and changes in domestic politics in several countries as a result of election outcomes. Other government-oriented international NGOs in the field of labour concerned social insurance (1889), occupational diseases (1906) and unemployment (1910).

### **The tripartite International Labour Organization of 1919**

In 1919 the IALL's work was continued by the tripartite International Labour Organization (ILO) in Geneva, consisting of governments, trade unions and employers. That trade unions, which had virtually not been involved in the IALL's activities, now embraced the idea of international labour regulation resulted from three developments during the First World War: the recognition and inclusion of labour in national political systems, the turnabout within international trade unions which made them a proponent of international regulation, and governments' fear of revolution.

With labour representatives gaining positions in government and governments adopting social policies during the war, 'class collaboration' took precedence over 'class struggle', also reflecting the political split between 'reformist' and 'radical' labour activism. European labour parties and trade unions began to comprehend the social disturbances resulting from open economies and the remedy of internationally coordinated national agreements with regulations for the labour market and systems of social insurance. Such national compacts required international coordination in the form of a regime with common standards, to prevent unfair competition and a 'race to the bottom'. International trade union contacts and conferences during the war resulted in a detailed programme of labour demands and the wish to influence the peace negotiations in Versailles, with the Americans not being in favour of state intervention as the major difference between European and American unions. Governments' fear of radical social changes as a result of the revolutionary events in Russia in 1917 contributed to the social concession of institutionalized international labour legislation at Versailles, with governments hoping that moderate labour organizations would not choose the revolutionary model, while the increase in unionization during and immediately after the war in almost every industrialized state gave the trade union movement political momentum (Windmuller 1980: 29).

The origin of 'tripartism' was a British idea, set out by the Fabians in 1916. In the ILO it became a formula with two governmental representatives, one trade union representative and one employer representative. This gave governments a voice equal to that of the combined social partners, but avoided situations in which national legislatures would reject conventions adopted by a two-thirds majority without governments agreeing. The ILO continued the practice of international labour conventions, started in 1906, through the adoption by a qualified majority of international agreements in the form of conventions and recommendations. From 1919 to 1939 the ILO adopted sixty-seven conventions and sixty-six recommendations. Taken together, these conventions and recommendations are known as the International Labour Code.

International trade unions in their role as ILO participants were relatively weak partners, due to the lack of cooperation between them and the division of labour between international confederations of national federations and international trade secretariats. While the

confederations took care of major international policies in general, the latter concentrated on more practical objectives for their trades. The choice made in 1901, in line with previous developments, to make nationality rather than the profession the basis of international trade unionism was not discussed in 1919. As a result, international unions remained focused on the coordination of national views, with national unions mainly interested in their political and representative functions.

Trade unions represented at the ILO embodied 'blue'- rather than 'white'-collar workers and most workers' organizations had difficulty in reaching beyond the industrialized states or industrialized areas elsewhere, while colonialism also set limits to their activities. The strong antagonism between Communist and Social Democratic trade unions implied another weakness. In 1919 Russian Bolsheviks established the Communist International (known as Comintern or Third International), which during the 1920s developed into a 'world party' with national sections in several states that had to execute unconditionally the instructions of the Moscow Executive, including in the field of trade unionism. The Second International continued as the Labour and Socialist International from 1920 and was the Comintern's main opponent.

The new relations forged in 1919 did not leave any room for the IALL. Governmental representatives and trade unionists engaged in the Versailles negotiations simply took over the workings and expertise of the IALL, without thanking this predecessor very explicitly. The ILO was enabled to take over the libraries of both the IALL and the international association on unemployment, so from the start the ILO had a significant database at its disposal. The significance of the IALL as an 'epistemic community' was continued by another, differently composed group of experts, now located within and around the ILO. What was left of the IALL and the NGOs on social security and unemployment merged in 1925 to form the International Association for Social Progress. Its influence was limited. Another labour NGO, the International Cooperative Alliance, had to wait until 1948 before it could represent consumers' interests within the ILO.

### **International women's NGOs and labour**

International women's NGOs had been successful in lobbying the Versailles negotiations, because, as a result of their pressure, all positions under or in connection with the League of Nations would be open equally to men and women. These women's organizations had also lobbied the ILO, the League's specialized agency, from the start, arguing for the relevance of female experts in delegations, female ILO staff and close relations with women's NGOs. The ILO attached weight to its relations with the international women's movement, although the relationship was less strongly institutionalized than the one with trade unions and only of a consultative nature.

This consultative status, however, would not be an impediment to influencing the ILO with ideas other than those of the unions. While labour organizations focused mostly on the special protection of women, during the 1930s international women's NGOs pressured for the idea of equality between women and men, within the League of Nations on the legal status of women and within the ILO on equal pay and treatment. The ILO had mainly instigated conventions and recommendations for the special protection of women, but NGOs like the International Federation of Business and Professional Women and Open Door International succeeded in applying sufficient pressure for the idea of equality to gradually gain acceptance. Pressure over equal pay grew steadily and in 1937 the ILO recognized for the first time that discrimination against women existed and decided that the status of women must change. The ILO thus became an actual supporter of women's equal right to paid work, full opportunity in education and recognition of women's civil and political rights (Riegelman Lubin and Winslow 1990: 48).



The ILO qualified its special protection of women workers in 1939 by pointing out that the welfare of all workers should be safeguarded.

## Labour in the non-Western world

The first ILO conference in Washington DC in 1919 was attended by delegations from thirty-nine countries. All European states were represented, with the exception of the Central Powers, Communist Russia and the hitherto unrecognized Baltic states. Most Latin American states were represented. Asia had delegates from China, India, Japan and Siam; the Middle East from Persia. In addition to India two British dominions, Canada and South Africa, were represented. Given the entry of several states during the 1920s, the ILO gained a fairly universal membership.

The definition of 'labour' by historians has remained narrow due to its focus on industrialized Europe and the wage-earning industrial working class (Berger 2017: 394–395). Trade unions were the most direct defence organizations of industrial workers, with working-class parties in many parts of Western and Central Europe achieving impressive electoral results and German Social Democracy becoming the model of a well-organized party. Apart from unions and parties European labour united friendly societies, cooperatives and a whole range of unorganized, spontaneous forms of working-class protest, including food riots, factory occupations and other rebellions. Labour was furthermore characterized by its strong emphasis on education, an intense orientation towards the future and its maleness, given the overwhelming majority of pioneers, representatives and members were men.

For the movements representing working people outside Europe, often under conditions of colonialism, Stefan Berger (2017: 397–405) uses the concept of 'subaltern' workers, with the boundaries between wage and non-wage labour and between free and unfree labour remaining far more blurred in the Global South than in the industrializing West. Such subaltern workers were not restricted to the wage-earning industrial labour force, but included other kinds of workers in an economy that triggered vast processes of migration in increasingly globalized world markets and produced migrant labour on a hitherto unprecedented scale.

Although representatives of the European labour movement travelled to the imperial and colonial areas to encourage the building of labour organizations along lines that looked familiar to their Western experience, conditions in the non-Western colonial habitats were different and influenced the characteristics of the local movements. This was even true for the US, where the American 'frontier' and the idea of basic social equality regardless of class (the 'American dream') contributed to major differences between European and US labour movements. Europeans also brought the traditions of their labour movements to the white settler societies of Latin America, with ensuing strong revolutionary traditions, including Marxist and Anarchist variants. However, the strong economic and political influence of the US as a regional hegemon also resulted in control of Mexican and Caribbean trade unions by US unions. The Australian workers' movement regarded Australia as a better, less class-ridden, version of Europe, in which white workers (their point of reference) had the same rights and obligations as everyone else. Its social reformist agendas included the introduction of social insurance, unemployment benefits and workers' safety legislation, making Australia, together with New Zealand, a pioneer of the welfare state.

Japan became an early modern industrial society and a colonizing state in Asia, establishing itself as 'the West' in 'the East' through its Western-style trade unionism and a Japanese Socialist party that had multiple links with the West. However, strong religious and social ties kept Japanese workers bound to their agrarian origins and a feudal system that was used for the control of workers eventually resulted in tame company unions and a management style that

emphasized harmony and partnership. China ignored the advances of Western imperialism as far as possible, but became a semi-colonial space with the rise of a waged industrial class in its industrial heartlands and regional variations in the development of labour movements elsewhere. Comintern influence resulted in the rise of Communism in the interwar period, while a powerful merger of class and national discourses played a role in the Chinese civil war, from which the Communist party emerged victorious in 1937. The Indian labour movement also focused on the salaried industrial work force in small industrialized pockets of the vast Indian economy. It was strongly influenced by Marxism and also saw a merger of Socialism and nationalism. However, there was a huge sector of informal and unorganized labour in the Indian economy, in which working women, tradesmen and labouring classes also tried to organize.

The labour movements in the late Ottoman empire showed a tradition of left-wing political activism and unionism in the most industrially advanced areas, while the small labour movements in the Islamic world based on salaried industrial workers were mostly secular in character. With regard to most sub-Saharan African countries Berger (2017: 403–404) speaks of ‘an intermittent development’ of industrial working classes and their organizations, with terms such as ‘kinship’ and ‘community’ far more powerful in explaining developments than working-class formation and proletarianization, and social networks more important than formal trade unions. Resistance among non-industrial and non-salaried groups of workers included slave labourers, which in practice could not be easily transformed into wage labourers. Differences in Africa furthermore were related to the colonial subjection and division of Africa, particularly between British, French and also German traditions.

### Uniting workers with different skin colours

An original answer to the question of how labour should react adequately to the strong internationalization of capitalist interests after 1919 was given in Edo Fimmen’s book *Labour’s Alternative* (1924). Fimmen was secretary of the largest international trade secretariat, the International Transportworkers Federation (ITF). Having developed from a local to a national movement, trade unions should now understand that a struggle conducted within national limits was becoming more and more inadequate. Given the internationalization of capital and its division of labour on an international scale, trade unions should unite under international trade secretariats rather than an international confederation of national federations, according to Fimmen, who thus proved to diverge from the general trend. It was not the national perspective that should come first, but the international one, which in his eyes was as yet purely European in scope. The ITF therefore had to become a truly global organization with Continental secretariats, organizing all workers of the world, whatever their origin or skin colour.

The ITF thus began to expand its activities to other continents and to integrate Latin American and Asian trade unions into the ITF. This global model of organization put the ITF ahead of other unions. It was important because of both its geographical scope and its conscious, and remarkably early, effort to unite workers with different skin colours. While Fimmen was arguing that the ITF should organize all workers, be they white, brown, black or yellow, Western shipping companies began replacing European crew with cheaper labour from Asia, which caused many sailors to speak about the ‘yellow peril’ of Asian sailors. The ITF tried to combat this racism, and in 1928 Fimmen noted that white workers often felt more solidarity with other white people than with fellow class members whose skin had a different colour. He argued against such contempt and stressed that the European labour movement had to pay attention to the life and labour of the workers in the colonial countries (Reinalda 1997: 120–121).

In order to further transform the ITF and prepare regional secretariats outside Europe, Fimmen travelled to North Africa, Canada, Japan and China. Since 1931 the Japanese had tried to act as a sub-secretariat, but were hampered by political circumstances. Being too critical (the seafarers' union did not approve of the Japanese invasion of Manchuria in 1931 and the attack on China in 1937), the Japanese government compelled the union in 1939 to withdraw from the ITF, which put an end to the ITF's regional work in Asia. The plans for an Australasian conference also had to be abandoned because of the outbreak of the Second World War in 1939. The Latin American contacts, however, supported the ITF in continuing its trade union activities during the war, but it was not until 1949 that the ITF could establish a sub-secretariat in Cuba and a regional information office in India. By that time, however, it was no longer an anti-colonial strategy that moved the ITF across borders in order to devote attention to the needs of workers in countries with 'coloured' populations, but rather the Cold War.

## The Cold War and after

During the process of establishing the United Nations (UN) in 1945, the Soviet Union had a low opinion of the ILO and it was largely because of Soviet resistance that the ILO did not become a specialized UN agency until May 1946. The Soviet Union also felt that freedom of association and violations of that right, an issue brought up in the debate about human rights, should come under the remit of the UN Economic and Social Council (ECOSOC) rather than of the ILO.

The merger of the major pre-war international confederation and international Communist trade unions into the World Federation of Trade Unions (WFTU) in 1945 was based on the expectation that the old relations would no longer prevail after the war. This 'unity movement' supported the Soviet Union in its opposition to the ILO, because a majority within the WFTU endorsed the Soviet Union's foreign policy, which also made the WFTU an important factor in the emerging Cold War between 'East' and 'West'. When it was given consultative status at the UN, it proposed setting up a commission within ECOSOC to investigate violations of trade union rights. Whereas the WFTU limited itself to violations in the non-Communist world, the US trade unions, which had begun to play an international role from the late 1930s onwards and now sided with the US government, drew attention to Eastern Europe as well. The US trade unions, in turn, also appealed to the UN, but in this case to the Commission on Human Rights, and submitted that the ILO should investigate trade union rights violations.

Based on the agreement between the UN and ILO, ECOSOC ruled that the ILO was the appropriate agency. The ILO then placed freedom of association on the agenda, which resulted in two robust ILO conventions on freedom of association (number 87, 1948) and the right to organize (number 98, 1949), including two special bodies to monitor compliance. The ILO, whose authority had been challenged by the Soviet Union, thus emerged as the winner. The conflict also showed that there were two tendencies within the WFTU which were difficult to unite. This led to a split in 1949, with the WFTU becoming the organization of the Communist states (and some Communist-led unions in the West) and a new International Confederation of Free Trade Unions (ICFTU), with 'free' deliberately included in the name. The ICFTU became the main trade union actor within the ILO, emphasizing the freedom of trade unions as a feature of democracy and using it as an example in the ideological debate between East and West, which gave certain ILO conventions added weight. However, like in the pre-war situation, international labour was seriously divided and politically tied to the respective major Cold War actors. Robert Cox (1977) discussed this situation as one of US hegemony, in which neither the ILO nor the ICFTU enjoyed a stable relationship with US global power, while the Global South ('Third World' at the time) was not an alternative counter-hegemonic force.

In the context of decolonization both internationally oriented trade unions and NGOs saw the issues of development assistance and human rights as parts of processes of emancipation meant to further economic and social progress, or in the case of dictatorship (as in Latin America) to restore democracy and independence of labour and civil society organizations. Examples of labour's continued relevance are the emergence of powerful independent labour movements during the economic expansion of the so-called 'newly industrializing countries', such as South Korea and Taiwan, since the 1970s, the leading role of independent black trade unions in the anti-apartheid movement in South Africa since the mid-1980s, the rise of an industrial working class in China, including large waves of strikes and labour unrest, and, more recently, the upsurge of militancy among low-wage and often undocumented immigrant workers in the US (Silver and Karatasli 2015: 133–136).

The end of the Cold War weakened the ILO's human rights regime severely, since the need to remind Communist states to respect those rights no longer existed. States from the South, referring to specific cultures and traditions, furthermore argued that human rights could be of different importance in one continent than in another. As industrializing states, they did not have an urgent need for social rights in the field of labour, which they regarded as obstacles to their development opportunities imposed on them by the industrialized world. Profound technological changes require a more flexible trade unionism in the twenty-first century, including a shift in emphasis towards ensuring the employability of workers and continuous training and skill upgrading. But, whereas labour in the industrialized world is employed in companies and enterprises at the very frontier of technological progress and global economic leadership, the situation in many Southern states is quite different, because labour is employed in less favourable conditions (Jose 2002).

### **Transnational labour networks**

When NGOs provided support to labour-oriented international campaigns, the NGO–union alliance showed certain tensions. While NGOs added legitimacy by referring to their specific values and norms, or responded more quickly than large unions to requests for assistance from workers, unions felt that NGOs were 'less understanding of what it takes to organize workers to achieve sustainable change' (Gordon and Turner 2000: 254). In the field of human rights common interests existed between unions and NGOs, as many prisoners of conscience are trade unionists, but relationships with environmental NGOs were somewhat tenuous because of 'abiding union concerns that expenses incurred by employers to improve environmental protections could threaten jobs' (Gordon and Turner 2000: 89).

Unions furthermore referred to the smaller membership and lesser representativeness of NGOs, but there were also processes of learning when unions began to understand that they had to work with far less traditional NGOs in broad alliance strategies, such as in campaigns against child labour in and beyond the ILO and when pushing for non-trade values and 'social clauses' within the World Trade Organization (WTO). Drawing public attention to transnational corporations and their cheap sub-contracting in Asia, including the violation of labour rights, is another example. Such strategic alliances, 'described as social-movement unionism', require a view looking towards, or from, the South that recognizes 'the heterogeneity of the labour conditions' and 'the breadth of coverage and vision needed by workers' organizations' (Munck 2002: 126). NGOs, in turn, questioned the unions' representativeness in the informal sector or showed that prohibition of child labour may be an element in combatting 'the race to the bottom', but also reinforced the developed world's competitive advantages, with adverse consequences for developing countries.

During the 1980s and 1990s a new form of linkages among labour or labour-related activists emerged that tended to take 'the form of transnational advocacy networks' in favour of retaining or regaining labour rights. Referred to as 'transnational labour networks' (TLNs), they often have convenors that are not connected to unions, place much emphasis on non-financial and non-contract issues and are not organized as hierarchical organizations but in the more flexible network form (Kidder 2002: 269–270).

Workers organize in this way because they have the same transnational corporation employers and common issues, which result from the globalization of production and its consequences for worker participation and representation, or because unions suffer from the impact of international trade regimes, such as the North American Free Trade Agreement and the European Union's single market, decisions by the WTO and austerity measures by international financial institutions. Networks with other social movements are formed when issues are complex and expertise can be combined. Some networks are formed outside unions because of problems within unions, often related to issues being discussed from the perspective of workers and their families rather than from the perspective of union goals. When women's networks are engaged, they emphasize testimonials and exchanges that integrate personal, community and work-site experiences, rather than discussing the work realm in isolation. These networks are motivated to empower participants and seek to build long-term solidarity by constructing new collective identities (Kidder 2002: 271).

Transnational linkages of other social movements and institutions may support the emergence of TLNs. Network forming around principled issues, such as corporate responsibility and economic justice, may be aided by both moral and financial support of religious and other organizations (Kidder 2002: 291). Relevant elements of TLNs are recognition of unions, the role of unconventional groups, such as farmers, contacts between grassroots workers groups and exchanges of ideas. Transnational contacts present different movements with the opportunity to adopt similar discourses, strategies and tactics. Unions that engage see that their networks become deeper and more diverse due to the overlap with other movements and also find that their traditional ideas expand and that new ways of mobilization become available (Fonow and Franzway 2011; Burgmann 2016). Within TLNs international trade secretariats are now known as 'global union federations'.

## Labour and NGOs: conclusion

Whereas the anti-slavery, peace and women's movements emerged in the nineteenth century as bottom-up transnational advocacy networks, labour developed its own international form, in which certain individuals, parties and countries controlled organizations top-down, without much interest in international labour regulation. International regulation was promoted by an international NGO with a non-working men's background, the IALL, which in 1919, after a turnabout by international trade unions during the war, was replaced by the tripartite ILO, with international unions as participants. International coordination in the form of a regime with common labour standards (expressed in ILO conventions and recommendations) helped to mitigate social disturbances resulting from open economies and to prevent unfair competition between states and a 'race to the bottom'. In spite of their weaker institutional status, international women's NGOs succeeded in changing ILO ideas about women (from special protection to equality). The labour movement's model, based on the wage-earning industrial working class of industrialized Europe, was also transferred to the colonies, although work there had a different form, given the blurred boundaries between wage and non-wage and between free and unfree labour (Berger's subaltern workers). However, the ITF's global and anti-racist

strategy, which tried to deal with these differences, remained exceptional within international trade unionism.

The ILO's function as a bulwark against the 'race to the bottom' continued after the Second World War, but with labour trapped in the ideological debate between East and West and in the North–South divide. Unions remained relevant also when the Cold War's end weakened the ILO regime. Cooperation between international unions and NGOs on several issues was strained, due to the different worlds to which they belonged. However, against the background of globalization of production and further trade liberalization since the 1980s, which in fact reinforced the 'race to the bottom', a new form of linkages, very similar to transnational advocacy networks, emerged, with global union federations cooperating with grassroots worker groups and NGOs in so-called transnational labour networks.

Labour, regarded as one of the oldest classic social movements, was fairly political, in the sense of raising issues concerning state power with the intention of changing the balance between powerholders and powerless through mass mobilization, organization and public pressure. The movement was radical, extensive and persisting and, in certain parts of the world, succeeded in being incorporated into national systems. Its main interpretation referred to processes of 'proletarianization' (with capitalism encouraging polarization between bourgeoisie and proletariat) and 'emancipation' (as a struggle of being set free from social, political and legal restrictions). Late-twentieth-century social scientists changed the interpretation when they noted that the increase in participants in social movements did not come from the workers, but from social and professional groups that had more discretionary time available. Attention shifted towards interactions between 'traditional' and 'new' actors and between institutionalized systems of interest representation and less conventional forms of action (Della Porta and Diani 1999: 10). Some added doubts about the continued existence of the working class in what was called 'post-industrial' society and agreed that class struggle was of decreasing relevance. Instead, they associated with 'new' social movements and their transnational networks and international NGOs that were concerned with social dimensions other than class, such as gender, ethnicity and lifestyle, and with more general issues, such as human rights, environment and peace. Working-class organizations were seen as having 'sold out', neglecting the 'truly dispossessed' and actively excluding women, racial/ethnic minorities and immigrants 'in order to protect the interests of a privileged labor aristocracy' (Silver and Karatasli 2015: 134). However, labour should not be neglected, given the role of working-class actors in older and more recent protest movements, such as Occupy and the Arab Spring, as well as the existence of the transnational labour networks discussed above.

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# NGOs and human rights

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In early 2018, many non-governmental organizations (NGOs) were focused on the particularly egregious situation in Burma/Myanmar. In the Rakhine state, Rohingya Muslims were tortured, killed, and raped by security forces. Anyone critical of the government risked arrest and prosecution. Hundreds of thousands of individuals were displaced as villages were burned and thousands killed. In no uncertain terms, the situation was a human rights emergency. Human rights NGOs from all areas of the world responded to the emergency; some organizations sent relief, while others spoke to the media, to intergovernmental organizations, and on legislative floors about the situation. Many organizations tried to document the abuses, even relying on satellite images of the destruction. Others called on outside governments and the United Nations to respond (Amnesty International 2016/2017; Human Rights Watch 2017; Ponniah 2017).

In fifty years, will history remember the Rohingya people? Will we see this as a successful case of NGO involvement and human rights improvement? There are many past human rights success stories. Improvements after the Arab Spring in human rights conditions in Tunisia, growth in *de jure* LGBGTIA+ rights in the United States, and the eradication of the death penalty in many countries around the world have all been attributed to the efforts of NGOs (Mathias 2013; Van Hüllen 2013; Asal, Murdie, and Sommer 2017). More broadly, the work of human rights NGOs was essential in the creation of many of the treaties and government institutions designed to help protect human rights at the international and domestic levels. However, human rights improvement is a long and iterative process. There are powerful cases where, even with the efforts of committed advocates, the world has failed to respond in ways that limit atrocities and improve human rights conditions. Nonetheless, many human rights NGOs persist, often tirelessly working in the name of a world where the full enjoyment of human rights is a reality.

This chapter focuses on the study of human rights NGOs in International Relations. We focus first on the definition of these organizations and the variation that exists within the sector. We then briefly outline how existing theoretical approaches in International Relations have approached human rights NGOs. After that, we focus on the tactics and strategies that NGOs have used in the pursuit of human rights improvement and then focus on what recent empirical scholarship has found about their impact. Finally, we address what we see as the coming

challenges in this area, both for advocates on the ground and for International Relations scholars interested in studying this dynamic NGO sector.

## Defining human rights NGOs

Human rights NGOs are generally thought of in a very encompassing way in International Relations: any non-governmental organization with a human rights-related mission statement can be classified as a human rights NGO. There are many different rights outlined in the United Nations' (UN) Universal Declaration of Human Rights (UDHR): everything from the right to marriage and culture to the right to be free from torture and political imprisonment. These rights have been further codified in binding international and regional human rights treaties. Since all of these protections are classified as human rights, organizations can focus on a wide variety of rights and still fit within this broad conceptualization of a human rights NGO.

Within the broadly defined human rights issue areas, there is much variation in the NGO field. We highlight five dimensions on which organizations vary. First, organizations can focus predominately on "negative" or "positive" human rights (Nickel 1987, 14). Negative rights are rights that simply require restraint from governmental or non-governmental actors in order to be fully enjoyed. They are sometimes thought of as a "right from" something instead of "right to" something. For example, enjoying your right to freedom from torture requires governments and non-governmental actors to refrain from using torture. Positive rights, however, are commonly thought of as requiring mainly government provision; the rights to food or health care would be positive rights in that basic food provision and social services would require government provision and regulation. Many economic, social, and cultural rights can be categorized as positive rights.

We can see human rights NGOs currently working on both positive and negative rights. For example, when Human Rights Watch issues calls against prisoner abuses in North Korea, this is advocacy concerning negative rights. On the other hand, positive human rights organizations like Housing Rights Watch work predominately on issues about the right to housing. Although organizations focus on both categories of rights, the majority of human rights organizations still focus predominately on negative rights. Based on Cold War divisions, the United States and other Western countries often focused on negative political and civil rights. Positive economic, social, and cultural rights were sometimes incorrectly seen as part of a communist or socialist regime (Whelan and Donnelly 2007). In some ways, this division helped to encourage many Western NGOs, including those that worked in developing countries, to focus mainly on negative rights. These rights were championed by powerful donor countries that could bring funds and attention to these issues.

Relatedly, the "naming and shaming" or "shaming and blaming" techniques human rights NGOs are known for are thought to work best when there is a clear causal chain from victim to abuser (Roth 2004). The early focus on shaming by many human rights NGOs could have reinforced the focus on negative rights, especially rights where governmental actors were identified as the abuser. It is much harder to "shame" about a positive right like the right to food; the causal chain is much murkier, and the abuse may be seen as passive on the government's part instead of active in nature. For example, a lack of the full enjoyment of the right to food in Bangladesh could be due to government actions but is also likely linked to a lack of development within the country and a history of colonial exploitation. This murkier victim-to-abuser chain may have made human rights organizations more likely to focus on negative rights.

A division of labour among various NGOs could be another factor that contributed to the predominant focus on negative rights by many human rights NGOs. Development and humanitarian NGOs focused on providing goods and services to affected populations in insecure environments. As such, they were often aiding in the provision of economic rights. Many minority rights NGOs focused on securing cultural and social rights. Although these organizations could be thought of as human rights NGOs in the sense that they are focusing on human rights issues broadly, they often do not self-identify in this way. More recently, however, predominately service provision development and humanitarian organizations have often adopted a “rights-based” or “multi-mandate” approach that incorporates more human rights framing in their programming. The utility of this multi-mandate approach is often debated by NGOs; although it can help in raising attention to an issue, some fear that it could limit access to affected populations and may make governments leery of all NGOs, even those that try to be politically neutral and only provide services during humanitarian disasters (Slim and Bradley 2013).

Related to this dimension, human rights organizations use a variety of tactics that can be broadly divided into two categories: either advocacy-based or service-based. Advocacy tactics focus on changing public opinion, behaviour, and policies about a specific human rights issue. Service tactics focus on the provision of goods and services about a specific human rights issue. Although a variety of advocacy and service tactics are undertaken to improve both negative and positive rights, there has been a historical connection between advocacy and negative rights, on one hand, and service and positive rights on the other.

Third, a very critical dimension on which human rights organizations vary concerns whether they are largely domestic or international. Domestic organizations focus on a specific country or subnational region. International organizations, conversely, can be broadly defined as any organization that is international in scope; in practice, however, in line with the *Yearbook of International Organizations*, the common sourcebook for NGOs, international is often limited to organizations that are focusing on three or more countries at the same time (UIA 2018).

There are many ways in which domestic and international organizations are different. Generally, domestic organizations are often thought of as more limited in funds but more connected to the populations they are working for. International NGOs may be better funded, often subcontracting projects to domestic organizations. International NGOs may also be better connected to intergovernmental organizations and have more professional capacity, including full-time staff with training in fundraising and public relations. Because of their connections and capacity, international NGOs may be able to command a larger media footprint about a specific issue; they may also be able to act as “gatekeepers” about an issue, ultimately influencing which human rights issues receive international attention (Carpenter 2014). Although our theoretical framework for how human rights NGOs improve human rights conditions conceptualizes international and domestic NGOs as transnationally “networked” in a largely principled manner, many scholars have argued that domestic–international relationships are often strained (Cooley and Ron 2002; Bob 2005). Domestic NGOs may struggle to get the attention of their international counterparts and feel that their work is overshadowed by the desires of a few large organizations (Murdie 2014a). Conversely, international NGOs may feel like domestic NGOs are “free-riding” off of their cultivated brand and efforts. These issues may be heightened when funds are constrained.

The domestic–international division among human rights NGOs is echoed in another category of division among the sector: organizations based in the global North or those based in the global South. Regardless of whether they are international or domestic in orientation, organizations in the global South often lack the resources that organizations in the global

North have. This can mean that global South organizations are unable to attend conferences and intergovernmental meetings, limiting their voice in the collective human rights agenda. Because of a lack of domestic funding streams, global South organizations could be beholden to the desires of foreign donors, an issue of increased concern now as many governments are restricting the use of foreign funds by civil society (Carothers and Brechenmacher 2014; Dupuy, Ron, and Prakash 2016; Pandya and Ron 2017).

On the flip side, organizations in the global North are often criticized for their lack of deep connections to the communities they are trying to influence. Recently, many global North organizations, including Amnesty International, have dramatically changed their organizational structure to have more offices in the global South. These efforts are often designed to help increase local community support and legitimacy (Moorhead and Clarke 2015).

Finally, there are divisions between secular and religious-based human rights organizations. Although the majority of human rights organizations are secular, there are many religious organizations from a variety of faith backgrounds. These organizations often differ in their funding sources, their source of legitimacy, and their view of specific rights. Religious organizations may have limited contact with other human rights organizations (Murdie 2014b).

## Theoretical perspectives

International Relations theories regarding the work and effectiveness of human rights NGOs sit within a larger paradigmatic debate on the efficacy of non-state actors in the international system broadly. This debate can largely be divided amongst realists and constructivists. While the former contests that states are the primary actors at the international level, thereby leaving little room for non-state actors, constructivists argue NGOs sit within a larger international civil society community that can construct and alter ingrained international norms. This debate has evolved over time, with a greater emphasis on empirically driven studies that focus on the effects of NGO activities.

Realist scholars argue non-state actors hold less sway in the international system than state actors. As Waltz (1979) famously writes, “So long as the major states are the major actors, the structure of international politics is defined in terms of them” (94). This elevated status is a function of characteristics possessed solely by states, namely sovereignty. Countries have sovereignty, or recognition of the international community and unique control over a territory and population in that state’s possession (Hocking and Smith 1990). Non-governmental organizations, on the other hand, possess none of these characteristics. Perhaps the most important trait held by states is what Weber described as the monopoly of legitimate coercive power (Weber 1946). In this view, states are the most effective actors in the international system because, in this anarchic world, states are the ones powerful enough to enforce decisions.

Constructivists rebuke the realist dismissal of human rights NGO effectiveness. From the constructivist lens, the norms of behaviour, perceptions of specific actors, and the way in which states view the condition of anarchy are all a function of social constructions. These constructions result from the values and customs of the actors in the system, and, as values change over time, so too does the conceptualization of international norms; just as they are constructed, they can be deconstructed and rebuilt to reflect these altering principles. One of the main functions of human rights advocates, according to constructivists, is to alter these international norms to reflect stronger human rights protections (Keck and Sikkink 1998).

Finnemore and Sikkink (1998) termed this change to social norms as the “norms life cycle.” This process occurs in three stages: norm emergence, norms cascade, and norm internalization. In each stage of the process, new and different types of actors become crucial components in

fomenting social change, utilizing new techniques to assimilate social norms into the system. As Finnemore and Sikkink outline, the first stage is dominated by issue advocates, oftentimes known of as norm entrepreneurs, who gather and disseminate information on the issue with the aim to prioritize their issue on the global agenda. Second, when these campaigns are successful states and international organizations are pressured to at least debate the issue if not fully transform domestic and international laws to reflect this new norm. At this stage, state actors are focused on enhancing the legitimacy of their institutions and minimizing reputational costs attached to going against popular opinion, whereas norm entrepreneurs are largely motivated by altruism and ideational commitment. In the final stage, socialization processes enhance the following of the new or altered norm to the point of habitual following due to the norm's internalization by a variety of actors. This is not to say that all actors perfectly follow this new norm, but this norm has been institutionalized to the point where strong negative reactions are elicited by the international community if a state were to abandon these principles.

A clear example of this process in practice is Amnesty International's global Campaign Against Torture, which expanded acknowledgement of physical integrity rights abuses globally and was instrumental in the passage of the UN Convention Against Torture in 1984. Shortly after the founding of Amnesty International in 1961 by British lawyer Peter Benenson, AI began its work aiming to free "prisoners of conscience": those imprisoned based on political or religious beliefs.

In 1973, AI launched a large-scale international Campaign Against Torture by utilizing their growing grassroots membership. These efforts brought human rights violations into the international spotlight, incorporated human rights concerns into the global agenda, and pressured states and the United Nations to take steps to solidify these norms through formal institutions and rules (Clark and Danyi 2014). One year after the formation of AI, the campaign to free prisoners of conscience had grown from six to 210 which were outlined in Amnesty's first annual report in 1962. By 1964, AI received NGO consultative status with the UN Economic and Social Council (Clark 2001). After years of continued growth, Amnesty's efforts to end torture had resulted in the passage of CAT through the United Nations. AI was able to participate in the drafting process. The dedication of Amnesty International, through a rigorous campaign built around the development and expansion of these norms, had led to the formation of formal institutions aimed against the use of torture.

In the final stage of the norms life cycle, these new norms are internalized, becoming almost automatically followed. In the case of Amnesty's campaign, the strengthening of norms against the use of torture is demonstrated by the expansion of universal jurisdiction. Chilean dictator Augusto Pinochet had risen to power in 1973 through a military coup, deposing the democratically elected government of Salvador Allende. Following years of torture, mass arrests and detentions in the National Stadium, executions, and forced disappearances of anyone dissenting against the military regime, international pressure led to the democratization process in 1990. However, the Chilean government was unable to punish Pinochet for his crimes due to internal protections drafted during the transitional process. The efforts of internalized norms against torture, coupled with international legal protections granted by CAT, resulted in the arrest of Pinochet in London under direction of the Spanish courts (Amnesty International 2014). Without the efforts of international advocacy groups, such as Amnesty International, these developments might not have occurred.

## Universalism vs. cultural relativism

While the debate between realists and constructivists outlined above highlights disagreements over the ability for the international community to punish abusive regimes, there is another

debate surrounding the types of rights that should be protected. What should decide which rights should be prioritized above others? Are there foundational rights that supersede others, and therefore should be protected by the international community? While some consider these protections to be universal, others contest this assumption based on cultural relativism.

Critical and postcolonial scholars argue against the common justification of universal rights based on Western interpretations of their development. Ingram (2008) interprets the work of Hannah Arendt and her interpretation of the “right to have rights.” Based on Ingram’s analysis, the use of power has been an important aspect in the protection of human rights. States, international organizations, and non-governmental organizations all use the construction of rules, both *de jure* and *de facto*, to ensure the promotion and implementation of these principles. While “human rights as a matter of fact developed in the West . . . This was not . . . due to any particular features of Western culture” (Donnelly 2013, 106). At the same time of the Enlightenment and the foundational principles of natural laws, which would become the basis of later conceptualizations of human rights, the Western world used violence and hierarchical social structures to justify international war in the name of religion, slavery, and imperialist empires abroad. These scholars contest that the justification of universality should be based on the assumptions of cohesive Western traditions, as if the West had a monopoly on the foundations of human dignity.

According to these scholars, the main issue is that the use of clouded neo-imperialist interventions can be justified in the name of protecting human rights. Belief in wholly Western constructions also ignores the rich development of the foundations of our modern-day human rights conceptions that paralleled the formation of Enlightenment natural laws. Grovogui (2006), for instance, counters the Western exclusivity with an analysis of the Haitian Revolution, which developed enforceable standards of human dignity similar to conventional notions of human rights. Moreover, Amartya Sen argues these universality proponents insist on the primacy of certain rights (notably civil and political rights) over the defence of economic, social, or cultural ones (2004). This line of reasoning not only critiques the accuracy of Western universal claims, but also sees the realization of universally agreeable standards as the only way to avoid neo-imperialist crusades masked as defence of human rights (Grovogui 2006).

## **Tactics and strategies of human rights NGOs**

Organizations use a variety of strategies to improve human rights standards. According to the theoretical literature, NGO-led improvements in government protection of bodily integrity rights often occur in a “boomerang” model that begins and ends with efforts by domestic advocates (Brysk 1993; Keck and Sikkink 1998; Risse, Ropp, and Sikkink 1999). In this model, domestic NGOs first try to pressure a repressive regime from within the state. If these efforts are unsuccessful, the domestic NGO sends “boomerang” message outside the country to international advocates, typically led by international NGOs. These international advocates try to increase pressure on the repressive regime in two ways. First, international NGOs draw negative attention to the abusive regime by “shaming” the state for its actions. This shaming can lead to further punishment to the abusive state. Second, international NGOs send back the “boomerang” to the affected domestic population by providing logistical and material support to domestic NGOs so as to heighten domestic pressure on the state. According to the later “spiral model” of human rights change, this combination of increased domestic pressure and international attention can start a process whereby the state first tries to appease the advocates with “tactical

concessions”: small changes, like the adoption of a human rights treaty, that are designed to deflect attention and appear to be progressive (Risse, Ropp, and Sikkink 1999). If the pressure continues, especially at the domestic level, these tactical concessions can lead to further changes, which may eventually lead to the internalization of human rights norms.

There are many tactics that human rights NGOs use that are in line with the general framework of the boomerang and spiral models. Organizations often try to increase domestic capacity for protests, sit-ins, letter-writing campaigns, and other forms of largely nonviolent resistance (Murdie and Bhasin 2011). If organizations are not able to be involved within the country, the resources in neighbouring countries can still help mobilizing efforts in repressive regimes (Bell, Clay, and Murdie 2012; Bell et al. 2014). Further, as mentioned above, some organizations focus on “shaming” advocacy. In general, shaming involves the collection and promotion of information about human rights abuses, often to an international audience. In line with the boomerang model, this shaming is intended to bring international pressure to a repressive regime.

Beyond the tactics outlined in the boomerang and spiral models, organizations use a number of tools to effect change. First, many organizations are involved in human rights education; these organizations are trying to build awareness about what human rights are and what remedies exist. Some organizations are trying to change opinions as to whether a certain right should be protected; we have seen this recently when human rights groups try to build awareness about LGBTIA+ rights or when groups try to change opinions about early child marriage (Asal, Murdie, and Sommer 2017). Perhaps because the boomerang model concerns mainly issues of bodily harm (i.e., negative rights) where there are government remedies, the extant literature has often missed this critical step in the process of human rights change. In order to get individuals to mobilize about human rights, NGOs first have to convince individuals that (a) they have rights and (b) these rights are currently not being fulfilled.

Additionally, organizations often use courts and legal rulings as conduits for human rights change (Sikkink 2011). NGOs can provide *amicus curiae* briefs, legal aid to victims, and expert testimony at trials (Shelton 1994). They can also help in advocacy for and capacity to carry out transitional justice mechanisms (Arthur 2009). Further, NGOs have been major drivers in efforts for new human rights treaties, both at the regional and at the global level. For example, NGOs were critical in recent efforts for the creation of a treaty on business and human rights (Bernaz and Pietropaoli 2017).

This overview of the tactics used by NGOs in the promotion of human rights is far from complete. Organizations are continuously innovating. Some organizations have used comedy, video games, concerts, and sporting events to increase awareness and build support.<sup>1</sup> Organizations are also continuously updating how they collect information on abuses. The use of social media applications and satellite images is now a routine part of how some human rights organizations collect information (De Vos et al. 2008).

Regardless of the tactic used, we want to reiterate that the main theories of human rights NGOs do not see these organizations as effective by themselves (Keck and Sikkink 1998; Risse, Ropp, and Sikkink 1999). Instead, NGOs are thought to improve human rights through a collective transnational advocacy network (TAN). Although NGOs may be critical actors of TANs, it is the combination of their collective work and the work of concerned individuals, third-party governments, and intergovernmental organizations that is theoretically supposed to improve human rights conditions (Keck and Sikkink 1998; Lake and Wong 2009; Murdie and Davis 2012a).



## Influence of human rights NGOs

For many years, empirical accounts of human rights NGOs were almost exclusively qualitative in nature. We have learned many things from these studies but, as Risse (2002) points out, there were concerns about selection of the dependent variable; many of the studies only looked at cases where NGO advocacy had been successful rather than the full universe of advocacy campaigns. More recently, there has been an explosion of quantitative studies of many related questions concerning the impact of human rights NGOs. By and large, these studies show that human rights NGOs can influence human rights outcomes; often this effect is conditional on certain structural factors.

Some of the first cross-national studies of the effects of NGOs on human rights focused empirically on counts of all international NGOs within a country. These studies found that international NGOs are often associated with better human rights practices in the countries where they are located and that they are a necessary condition for human rights treaties to be associated with human rights outcomes (Hafner-Burton and Tsutsui 2005; Landman 2005; Neumayer 2005). Later studies focused on information and reports produced by NGOs. Although Hafner-Burton (2008) found that the count of Amnesty International background reports and press releases are not associated with improved human rights, Franklin (2008) found that reports by NGOs in Latin America were associated with improved human rights when the state is dependent on foreign capital. Murdie and Davis (2012a) later found that shaming by multiple human rights organizations works when it is combined either with (a) a large presence of human rights organizations domestically involved in the country or (b) shaming and attention by international organizations and third-party states, in line with the theoretical framework of Keck and Sikkink (1998). Murdie (2014b) also found that shaming works best in democracies and in countries that are economically vulnerable to international pressure. Conversely, Hendrix and Wong (2012) found that shaming by Amnesty International is associated with improved human rights only in authoritarian regimes. Recent studies have also found that shaming can help reduce the onset and severity of mass killings and genocides (Krain 2012; DeMeritt 2012).

There have also been a growing number of studies concerning how human rights NGOs influence international actions; many of these studies concern the crucial intermediary steps in the boomerang model. For example, Barry, Clay, and Flynn (2013) find that shaming can reduce foreign direct investment. Peterson, Murdie, and Asal (2018) find that shaming can also affect trade. Concerning state behaviour, Murdie and Peksen (2013, 2014) have found that shaming can influence decision making about sanctions and humanitarian interventions.

Finally, scholars are beginning to understand how human rights NGOs affect domestic populations. We know that domestic NGOs can heighten protest mobilization (Murdie and Bhasin 2011). We also know that the information these organizations produce is associated with changing human rights opinions (Davis et al. 2012; Ausderan 2014). Some of the most interesting research in this area currently is using original surveys and experimental methods. For example, McEntire, Leiby, and Krain (2015) found that the specific framing tactic used by human rights NGOs can influence whether people mobilize in the United States. Bracic (2016) found that previous experience with minority rights NGOs influences how individuals cooperate in Croatia and Slovenia. Another critical line of research in this area examines public opinion in the global South towards domestic and international human rights NGOs (Ron, Golden, Crow, and Pandya 2017; Guarrieri 2017). For example, Guarrieri (2017) has found that the opinions of individuals towards the United States influence opinions towards NGOs; although not all organizations are aligned with the United States and many often criticize the

human rights abuses of the United States, organizations could be negatively affected by the idea that NGOs are US-biased.

## Contemporary challenges for human rights NGOs

Human rights NGOs operate in an environment where they are often facing powerful governmental actors that do not want abuses brought to the spotlight and can restrict their access to the country in many ways. Additionally, NGOs can be working on behalf of multiple actors, including both their donors and the populations they are trying to help. Further, NGOs are often operating in an environment where there is organized civil society opposition. Although there are many challenges that human rights NGOs face in our current political environment, we highlight these three issues as particularly important for practitioners and future International Relations scholarship.

### *Authoritarian closing of associational space for human rights NGOs*

An emerging trend among hybrid regimes is the closing of organizational space for NGOs to operate. Following the third wave of democracy in the 1980s–1990s, many of these states found the transition stalled in the next two decades which resulted in emerging hybrid regimes. Fearing expanded accountability channels and space for civil society to foster, many of these regimes' leaders worked to pass deterrents and constraints on the dissemination of information to prevent the diffusion of mass movements in neighbouring regions. Koesel and Bunce (2013) refer to this phenomenon as “diffusion-proofing.”

Examining the colour revolutions of post-Soviet states and the Arab Spring uprising, Koesel and Bunce find that the leaderships of China and Russia are making efforts to control access to information, frame uprisings in a negative light, and use other forms of soft power to draw sharp and negative comparisons with the uprising state. Moreover, these leaders couple these policies with actions to demobilize civil society, closing organizational space, and coercing opposition groups to disband.

One of the more famous examples of this is under Russian President Vladimir Putin. In 2006, the Russian government passed a law addressing NGOs operating in Russia. “On Introducing Amendments into Certain Legislative Acts of the Russian Federation” or, as it is commonly referred to, the Russian NGO Law, expanded state control over these organizations, infringing upon the privacy of leaders and members alike (Kamhi 2006, 34). The law expanded registration requirements of each founder and member, forcing organizations to present birth certificates if founders are deceased. Amnesty International quickly condemned the law, stating that “the law is unduly burdensome, diverting resources from substantive programs, while using a regulatory framework that can be arbitrarily applied, has key provisions which lack a precise legal definition, and sanctions that are disproportionate.”<sup>22</sup> Organizations must also produce annual reports giving detailed accounts as to the source and use of foreign donations.

This law was expanded in 2012 under the “foreign agents” law (“On Amendments to Legislative Acts of the Russian Federation regarding the Regulation of the Activities of Non-profit Organizations Performing Functions of a Foreign Agent”). Labelling such organizations as functions of “foreign agents” works to further increase the operational costs of such groups' operations, but also represents the cultural debate waging between the human rights community and authoritarian governments.

Human rights advocates have received pushback for their efforts, contesting that many of these groups reflect the Western values of their home country. Certain rights, cultural relativists

contest, do not represent universal norms and are instead a social construction of the beliefs, morals, convictions, and culture of the respective society. As such, Western states that produce norms against, say, female genital cutting cannot place these same standards upon another society with divergent traditions and standards.

While some rights have been contested by well-intentioned activists in the global South, authoritarian leaders obfuscate the use of cultural relativism in an effort to protect laws that close associational space for opposition groups. Russian leaders, for instance, exploit “traditional values” as the main avenue to adapt cultural relativism arguments in such a way as to prevent associational space for opposition and civil society broadly (Horvath 2016). As Horvath mentions, the term “human rights defender” (*pravozashchitnik*) has “become almost a term of abuse, laden with xenophobic connotations . . . [and] routinely vilif[ying] the human rights movement as a kind of Trojan horse: a seemingly innocuous vehicle for infiltrating foreign values into the national polity” (2016, 868–869). Such rhetoric aims to divide the domestic base, diffusing support for opposition groups in a way that minimizes their collective impact on the state.

This phenomenon is not unique to the Russian Federation. Actions taken by authoritarian leaders, such as observed in Putin’s Russia, serve to minimize organizational space for NGOs to operate. With their space minimized, it can be difficult – or even impossible – for human rights advocates to pressure the state “from below” or even to develop crucial international ties that provide necessary resources for sustained mobilizations (Brysk 1993; Keck and Sikkink 1998).

A much-needed area of future research concerns how human rights NGOs can function in areas of closing civil society space, where there have been heavy restrictions on how NGOs can receive foreign funding and their operations. Our empirical understanding of what leads to these changes is just beginning (Carothers and Brechenmacher 2014; Dupuy, Ron, and Prakash 2016; Pandya and Ron 2017).

## **Accountability**

With an increasing role for NGOs in the international arena, particularly in the directing of money to needy regions, questions are raised about what – if any – accountability mechanisms exist to prevent abuse of power by these increasingly important international actors. Brown et al. (2008, 25) estimate that more money is being funnelled through NGO networks than the United Nations or the World Bank. Financial contributions by donors is the primary source of support for these organizations (Khieng and Dahles 2015). Other material pressures resulting from an increasingly crowded international civil society incentivize organizations to prioritize issues that will draw the most attention of the public, the donor community, and warrant actions of states and IOs.

Before we can address these questions, we must first think about how we conceptualize accountability for this community. Democratic accountability theories focus on the actions of elected officials and representative institutions (Weber 1946; Przeworski, Stokes, and Manin 1999). These models suggest enhanced accountability mechanisms such as cooperative responsibility by public agencies (Behn 2001) or enhanced transparency of actions and information to the public (Dunn 1999). Many scholars utilize a principal-agent model to understand this accountability. By enhancing oversight by the governed (the principal), public agencies (the agents) are held responsible for their performance.

Similarly, non-governmental organizations serve as the principals, using donor (agent) funds to achieve some normative objective (Ebrahim 2003, 814). Indeed, as this funding increases,

and the donor becomes a larger stakeholder in the performance of the NGO, “excessive conditionalities or onerous reporting requirements [can be] attached to funding” (Ebrahim 2003, 814). As Ebrahim notes, as the number of stakeholders increases in terms of important donors, so too does the pressure of competing agendas.<sup>3</sup> This competition can blur responsibility as well as place undue burden on material and human resources to achieve these ever-increasing accountability requirements. With increasing calls for financial transparency and accountability (Ryan et al. 2014; Schmitz, Raggo, and Vijfeijken 2012; Verbruggen, Christiaens, and Milis 2011), this stakeholder problem is most likely amplified.

The demand for increased accountability of activities is not unwarranted. Notable financial scandals within the NGO community represent a complete lack of effective accountability mechanisms (Trussel 2003; Krishnan, Yetman, and Yetman 2006; Trivunovic 2011), which may lead to poor performance of programmes and theft through accounting manipulation. These cases threaten the relationship between human rights NGOs and existing/potential donors as well, with the problem being most severe among nascent organizations trying to develop their own reputation.

Beyond financial accountability, questions about the agenda-setting power of these organizations can become problematic for smaller organizations with little or no associational power at the international level. The crowding of global civil society has led to greater competition among these organizations for a seemingly limited pool of resources. Consequently, some issues – particularly more complex issues – become ignored by the human rights regime. Carpenter (2011) outlines the case of weapons norms and transnational advocacy networks’ structures. As Carpenter finds, chemical weapons have been a mainstay of the international arms-control networks, moving to the point of norm internalization, as demonstrated by international shock and outrage at the use of chemical weapons by Syrian President Bashar al-Assad, first in August 2013 in the capital Damascus and again in April 2017 in Khan Sheikhou.<sup>4</sup> On the other hand, similarly catastrophic thermobaric weapons (or fuel-air explosives) that “create fireballs over large areas and kill through suffocation and burning . . . have not been condemned by humanitarian law organizations” (Carpenter 2011, 70). Carpenter finds that the decision-making processes of the network explain issue salience. Certain powerful organizations can act as agenda-setters, engaging in “agenda vetting” that legitimizes certain issues while refusing to adopt others (Carpenter 2011, 7). Such actions are a function of increased competition with the human rights regime.

### ***Opposition movements***

An emerging critique on the scholarship of human rights NGOs and issue activism is the failure to recognize conflicting movements aimed at countering the work of human rights activists. Constructivist scholars analyse the actions of “issue entrepreneurs” aimed at establishing new norms, such as LGBTQIA+ rights or protections for ethnic minorities, but these studies often neglect analysing the work of rival advocates that aim to protect existing norms or work to generate rival ones (Bob 2005, 214; Koenig 2008).

These rival organizations utilize similar tactics to human rights NGOs such as lobbying efforts, media campaigns, and litigation. Bob’s analysis of Sweden’s restrictions on anti-gay hate speech provides an in-depth case study of this process (Bob 2005). Opposition groups combatted the enactment of such laws as infringing upon religious freedoms of those with deeply held religiously based opposition to homosexuality. These groups generate frames aimed to counteract the progress of activists promoting pro-LGBTQIA+ norms.

Similarly to the formation of transnational activism pushing for global human rights norms, these right-wing movements transcend national borders. Domestic right-wing activists seek assistance from the international community, providing them with resources necessary to sustain momentum. Moreover, foreign activists with the same objectives fear the continued loss of ground and the diffusion of similar laws in their own countries. Even in cases of the softening or signs of “evolving norms” can create such effects (Bob 2005, 61–63).

The expansion of these types of movements presents a new area of development in the literature. Whether this movement sustains itself, presenting a credible roadblock to human rights advocacy, is itself worthy of analysis. Furthermore, showing the full process of implementation of these new norms develops a more complete picture of the norms life cycle. As in the social movement literature, alternative frames compete with – and in some cases derail – sustained collective action. These counter-movements help us understand when human rights NGOs fail or when the norms life cycle fails to internalize and institutionalize these new norms.

## Conclusion

International Relations scholarship has examined human rights NGOs for some time. Recently, there has been a plethora of new work that empirically evaluates how NGOs operate and where they influence opinion, policies, and behaviours. Some of this work has shown us the power of advocacy and non-state actors more generally. As this research area grows, more scholarship should examine whether the funding environment and issues of accountability could limit the success of human rights NGOs. Moreover, perhaps due to their past success, NGOs are often being restricted in the very repressive countries where their advocacy is needed the most. Future work should focus on how these restrictions could complicate our existing understanding of these important actors.

Beyond physical restrictions to NGO access in repressive regimes, there is a concerning trend by authoritarian leaders to frame advocates’ efforts as foreign intervention in domestic culture. This rhetoric is a growing area for future research, as it delves into the development of human rights standards and the process by which these rights are practically protected. In the same vein in terms of competing frames in the construction of norms, the development of the global right-wing has shown the obstacles faced by norm entrepreneurs in institutionalizing standards.

Human rights NGOs have had much success in the past century. Future success can be highlighted by theoretically informed research about the important new developments.

## Notes

- 1 See, for example, [www.theesa.com/article/digital-witness-symposium-explores-human-rights-video-games](http://www.theesa.com/article/digital-witness-symposium-explores-human-rights-video-games).
- 2 MosNews. 2006. “Amnesty International Urges Putin to Review NGO Legislation.” July 5. Found on NCSJ, Advocates on Behalf of Jews in Russia, Ukraine, the Baltic States and Eurasia, “Russian Civil Society Examined, as G-8 Looms”; see [www.ncsj.org](http://www.ncsj.org).
- 3 In addition to donations from corporations, HROs receive foundation grants and government transfers, and sometimes engage in commercial activities such as membership or service fees in order to provide the material foundation they need to stay solvent in their activities (Froelich 1999; Anheier 2014). Given the nature of their activities, and in a desire to remain as impartial and legitimate as possible, many HROs restrict governmental transfers (O’Dwyer and Unerman 2008).
- 4 BBC News. 2017. “Syria chemical ‘attack’: What we know.” April 26. Available at: [www.bbc.com/news/world-middle-east-39500947](http://www.bbc.com/news/world-middle-east-39500947).

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# Humanitarian NGOs

*Silke Roth*

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## Defining humanitarianism and NGOs

The meaning of ‘humanitarian’ action and organisations is ambiguous and ‘elastic’. A narrow understanding means providing relief in crisis situation such as natural disasters or violent conflicts, providing shelter, food, access to water and medical assistance. More broadly conceived, humanitarianism aims at transformation and addresses the root causes of poverty and conflict, providing education, building capacity and aiming at sustainable development. Humanitarianism is defined by neutrality and impartiality, assisting those in need regardless of their religion, nationality or any other characteristic (for an overview see Barnett and Weiss 2008; Barnett 2011).

Non-governmental organisations (NGOs) are a type of third-sector organisations (the other two sectors being the public sector or state and the private sector or market). Such organisations vary in size and composition. They might have a small number of staff and many private donors who are not active in the organisation. In some NGOs unpaid volunteers work alongside paid staff members. NGOs employ national and international staff. Lewis (2015) highlights the similarities between international NGOs and domestic third-sector or non-profit organisations which might be active as service providers (supporting communities in crisis situations through the provision of water, food, shelter etc.) or as advocacy groups (bringing humanitarian issues on the public agenda) or both.

## Historical and political context

The emergence and transformation of humanitarian NGOs reflects historical and political developments. Humanitarian NGOs are shaped by and reflect modernisation processes including colonialism, capitalism, violent conflict and neo-liberalism.

Humanitarianism is deeply rooted in religious and imperial traditions and colonialism has been justified by the ‘humanitarian argument’ to civilise presumably less enlightened people (Lester and Dussart 2014). Colonial institutions, in particular those regulating race and ethnicity, resulted in ethno-racial stratification between European settlers and colonial administrators, local elites, privileged racial ethnic groups and indigenous populations. Such deeply rooted

divisions underpin contemporary social conflicts and violent confrontations such as the genocide in Rwanda in 1994, as well as attitudes towards refugees, other migrants and citizens who belong to ethnic minorities. In France as well as in Britain, the formation of development NGOs was informed by colonialism as well as de-colonialisation (Ryffmann 2011; Slim 2011).

Christian missionaries played an important and ambivalent role during and after colonialism. Education was primarily a means of evangelism and missionaries were unable to cure the diseases introduced by colonial settlers (Etherington 2005). Rather than improving living conditions, missionaries were 'handmaidens of colonialism' (Maxwell 2005). However, the relationships between Christian missionaries, colonial administrators and settlers and indigenous populations were complex and contradictory (Stanley 1990). Faith-based NGOs – not just Christian – continue to play an important role in humanitarianism, as I will discuss below.

The emergence of capitalism was accompanied by the development of a new humanitarian sensibility in Europe that combined a higher level of conscientiousness with the confidence of having the capacity to act on behalf of human suffering and injustice (Haskell 1985a, 1985b). However, British industrialists who were involved in the abolitionist movement were not concerned about labour exploitation in their own country (or enterprises). Moreover, the Slave Compensation Commission reimbursed the slave-owners in the British Empire – not the formerly enslaved – and had significant consequences for the economic development of Britain (Hall et al. 2014). Abolition and the emergence of capitalism are thus closely intertwined. Similarly, the rise of NGOs since the 1980s is an expression of neo-liberalism insofar as aid is provided by the third sector rather than by the public sector (Watkins et al. 2012).

Violent conflicts play a central role in the creation of humanitarian NGOs and humanitarianism. The battle of Solferino (1859) led to the formation of the International Committee of the Red Cross. In response to the First and Second World Wars humanitarian NGOs such as the Save the Children Fund, the International Rescue Committee (IRC) in 1933, Oxfam in 1942 and CARE in 1945 were founded. These non-governmental organisations were initially involved in relief work, but some of them later on included development activities, as I will discuss below. The Biafra war led to the foundation of Médecins sans Frontières (MSF) in 1971 and a new type of humanitarian organisation. Davey (2015) provides a nuanced account of the emergence of *sans-frontierisme* which is related to the French Left's support and its disillusionment with anti-colonial independence movements, which in turn were informed by the acknowledgement of complicity and resistance during Nazi occupation. MSF's concern with publicising human rights violations became influential far beyond France. Furthermore, since the 1970s a number of Muslim aid organisations have emerged to counter the influence of Christian and secular NGOs. The end of the Cold War was followed by an increase in complex emergencies in many regions of the world and humanitarian activities became more frequent. In the next section, I will distinguish different types of NGOs.

## Types of humanitarian NGOs

Humanitarian NGOs vary with respect to their mandate, their independence from governments, their relation to religion, in size and nationally.

### *'Pure' vs. multi-mandated NGOs*

The label 'humanitarian' is attached to a wide range of aid organisations. Whereas 'pure' humanitarian organisations focus solely on relief, multi-mandated organisations encompass broader objectives which include development and peace-building as well as the protection of

human rights and the promotion of democracy (Weiss 2012). National differences regarding the division between development and humanitarian NGOs can be noted. In France, the division appears to be more pronounced (Ryfinann 2011). However, in British NGOs the priorities between relief and development objectives are also debated (Slim 2011).

### ***Dunantist vs. Wilsonian NGOs***

NGOs also differ with respect to their relationship to the state. French NGOs representing the 'Dunantist' tradition emphasise their independence from and voice criticism of government policies (Davey 2015). Being supported by many small, private donors allows these NGOs to eschew financial support from the state which might compromise their position. In contrast, NGOs in the US tend to rely more heavily on government funding. Such NGOs represent the 'Wilsonian tradition', meaning that they tend to align themselves with US foreign policy (Stroup 2012). During the war in Afghanistan, Colin Powell (2001) infamously referred to NGOs as 'force multipliers' who supported US troops by 'winning hearts and minds'. British NGOs also tend to rely more on state funding than French NGOs (Stroup 2012).

### ***Secular vs. faith-based NGOs***

Secular and faith-based humanitarian NGOs represent a continuum rather than distinct categories and need to be distinguished by religious identity. Secular Christian NGOs have more in common with other secular NGOs whereas militant Christian NGOs are more like militant NGOs of other faiths (Benedetti 2006). Faith-based organisations and missionaries have played an important role since the earliest states of humanitarianism and churches still take on significant responsibilities both as donors and as local partners of international aid organisations. The recent proliferation of faith-based organisations is related to the growth of the Christian right in the US, the increase of political Islam, the rise of identity politics and decline of communism, and the support of diaspora communities for humanitarian and development assistance (Barnett and Stein 2012; Tomalin 2012). Faith-based NGOs include some of the largest as well as smaller organisations. World Vision, Tearfund and Medair are Christian aid organisations of different sizes and mandates. Islam has a long tradition of charitable giving. However, the fairly recent emergence of Muslim humanitarian NGOs is related to increasing oil revenues and the spread of communication technology which supported solidarity efforts for Muslim victims of conflicts and natural disasters (Petersen 2012a). The emergence of Muslim relief organisations was a reaction to the work of Christian and secular Western aid agencies and sought to prevent evangelism and the spread of Western values. Muslim organisations contribute to the diversification of humanitarian NGOs (Benthall 2008; De Cordier 2009; Benthall 2011; Barnett and Stein 2012) and reflect different generations of Muslim aid, each tied to a different political context (Petersen 2012b).

### ***Larger and smaller NGOs***

NGOs differ considerably in size and since the 1990s, the eight dominant international NGOs are Oxfam, MSF, CARE, Save the Children, World Vision CISDE (a coalition of Catholic development NGOs), APDOVE (an association of European Protestant Development organisations) and Eurostep (coalition of European secular NGOs) (Donini 1995). The size of these NGOs is reflected in their budgets.

In 2015, NGOs received 87% (US\$ 5.7 billion) of the humanitarian funding that was given by private donors. This amount represented 60% of the direct humanitarian assistance given to

NGOs (US\$ 9.5 billion overall in 2015) (Global Humanitarian Assistance Report 2017, p. 70). In 2016, the vast majority of international humanitarian assistance went to northern international NGOs (US\$ 3.7 billion or 85%) whereas southern international NGOs received only 1.6%, national NGOs 1.4%, international affiliated NGOs 0.3% and local NGOs 0.2%. In addition to the big INGOs, there is also a multitude of smaller NGOs. Natural disasters and conflicts such as the genocide in Rwanda in 1994, the 2004 tsunami in the Indian Ocean and the Haiti earthquake of 2010 attracted large numbers of small, often newly formed organisations driven by a strong humanitarian impulse (Stirrat 2006; Schuller 2012). They included national and international NGOs, often funded and run by individuals, usually serving a single purpose and active only in one region or even village. Such small organisations can be highly valuable and efficient by drawing on the expertise of health professionals or familiarity with a region. However, a lack of coordination, as well as a lack of adequate knowledge, can significantly undermine aid efforts (Schuller 2012).

### ***National and regional differences***

A survey published in 2014 identified 1,725 humanitarian actors in 30 European countries which included 1,278 NGOs, 169 faith-based organisations, 27 organisations associated with the Red Cross Movement and 22 other non-profit organisations (EUPHRA-Hamareport 2014, p. 11). The distribution of registered humanitarian actors varies greatly across Europe, as Table 19.1 illustrates.

Not only the number, but also the character of NGOs varies across European countries. Humanitarian NGOs in the United Kingdom tend to be multi-mandated, include a number of faith-based organisations and emerging diaspora groups (HAMap Country Profile United Kingdom n.d.). In Norway, about 30% of humanitarian assistance is channelled through several large NGOs (HaMap Country Profile Norway n.d.) The French humanitarian sector has become increasingly professionalised, and humanitarian assistance is primarily provided by NGOs which receive public funding. However, Médecins sans Frontières (discussed in more detail below) is financially independent from the state, relying on private support (HAMap Country Profile France n.d.). Germany comprises mostly small and medium-sized NGOs which mostly focus on development and only to a small extent on humanitarian projects (Koddenbrock 2016). Italian

*Table 19.1 Humanitarian actors in selected European countries*

<i>Country</i>	<i>No. of registered humanitarian actors</i>	<i>% of total European humanitarian actors</i>
United Kingdom	261	20.93
Italy	183	10.61
Luxembourg	150	8.70
Switzerland	138	8.00
Finland	121	7.01
France	90	5.22
Norway	36	2.09
Germany	35	2.03
Sweden	26	1.51
Czech Republic	13	0.75
Greece	12	0.70
Iceland	8	0.46
Latvia	7	0.41

*Source:* EUPHRA-Hamareport 2014, p. 10.

humanitarian action is shaped by a missionary and colonial past and the involvement in decolonisation processes. Faith-based organisations, in particular Caritas Italiana, play a very important role in providing emergency relief in Africa and Latin America. Secular NGOs are particularly involved in the Middle East and North Africa as well as in Eastern Europe (Albania, Kosovo) (HAMap Country Profile Italy n.d.).

Compared to their European counterparts, US NGOs are more professionalised and pay higher salaries, whereas in the UK and France voluntarism plays a stronger role (Stroup 2012). French and UK NGOs differ with respect to the involvement of expatriates and local staff. The main French NGOs emerged around professions (medicine, nutrition) and tend to send a large proportion of expatriates overseas. In contrast, British NGOs such as Oxfam which focuses on poverty reduction, Save the Children which specialises in children's rights and ActionAid which promotes education seek to involve and develop local staff (Braumann 2011).

Humanitarianism is not restricted to 'Western' (European, North American, Australian) actors. Indeed, the vast majority of humanitarian assistance is provided within the countries in which crises are occurring and in neighbouring countries (Farah 2003), for example Turkey providing aid for the victims of the Syrian crisis. Humanitarian actors in Eastern Europe, Asia, Africa and Latin America have wrongly been characterised as 'new donors' which overlooks aid provided by socialist countries during the Cold War as well as South–South solidarities, including the support provided to anti-colonial independence movements. However, these solidarities and aid do not necessarily fit the conception of 'humanitarianism' as neutral and independent or distinct from development (Binder and Meier 2012). In non-Western societies, governments and faith-based organisations as well as Red Crescent and Red Cross societies play an important role as humanitarian actors. The NGO sectors in Japan and Indonesia are growing and 9% of the 493 NGOs which signed the International Committee of the Red Cross Code of Conduct are from East Asia (O'Hagan and Hirono 2014, p. 414). Turkey has also been exposed to humanitarian needs for centuries and became increasingly active in Eastern Europe and the Middle East since the 1990s while excluding Kurdish refugees (Lopera 2017). Non-Western donors which prefer involvement on the regional rather than global level 'may be closer to the needs voiced by affected governments than Western counter-parts' (Binder and Meier 2012, p. 1144), and can teach Western donors 'how to take host governments more seriously' (2012, p. 1147). However, discussing the involvement of Argentina, Brazil and Chile in providing humanitarian assistance to Haiti, Burges (2014) concludes that South–South cooperation is not necessarily superior to Northern interventions in the Global South.

## Portraits of selected NGOs

The following portraits represent different types of humanitarian NGOs and reflect the development of humanitarianism.

### ***International Committee of the Red Cross (ICRC) and International Federation of the Red Cross (IFRC) and Red Crescent***

The battle of Solferino (1859) led Henry Dunant to initiate the formation of the International Committee of the Red Cross (ICRC) which is associated with the emergence of the modern concept of humanitarianism (Redfield and Bornstein 2011). Founded as a Swiss private organisation (Forsythe 2005), having a specific mandate under international law and primarily relying on government funding, the ICRC is not an NGO (Lowe 2015). However, the organisation plays a central role in the development of modern humanitarianism, and provides support for



and impacts on NGOs. Initially, the ICRC was concerned with providing medical relief to wounded soldiers and thus was closely tied to militarism. Over time its mandate expanded to visiting 'security prisoners' (Forsythe 2005) long before the founding of Amnesty International. In addition, after the First World War, the ICRC became involved in supporting refugees and reconciling family members that had been separated through political conflicts.

Despite the fact that 'Dunantist' principles include neutrality and independence, the relationship to states has varied over the course of the existence of the ICRC. From its beginnings until the end of the First World War, the Red Cross was subordinated to national militaries (Lowe 2015). In the inter-war period, it became more independent. However, it continued to cooperate with states and balanced cooperation and autonomy in order to access and support individuals in need. Infamously, in the 1940s the ICRC did not publicise the knowledge of atrocities committed in Nazi concentration camps due to the conviction that the credibility of the organisation and access to the camps depended on neutrality and discretion (Forsythe 2005).

The ICRC needs to be distinguished from the International Federation of the Red Cross (IFRC), an association of National Red Cross societies that was founded in 1919 in the aftermath of the First World War. The national organisations provide relief in domestic and international disasters. Initially strongly associated with Christian values, since 1983 the Federation also includes the Red Crescent societies which were established in Muslim countries. In the early 1990s the International Federation of Red Cross and Red Crescent societies and the Steering Committee for Humanitarian Response initiated a Code of Conduct in order to improve the delivery of aid (Walker 2005).

### ***Save the Children***

Save the Children is one of the oldest and largest humanitarian organisations and was founded in 1919 in the United Kingdom in response to the suffering of children caused by the First World War and the Russian Revolution (Gnaerig and MacCormack 1999). In order to secure support for the humanitarian activities, the founders stressed the support for innocent children, thus depoliticising the public image of the organisation (Baughan and Fiori 2015). Under the patronage of the ICRC (discussed above) the International Save the Children Union with members in 40 states in the British Empire and Europe was officially founded in the following year in Geneva. In 1988 the federation renamed itself Save the Children Alliance (Gnaerig and MacCormack 1999).

Save the Children is a multi-mandated organisation focusing on children's lives and fighting for children's rights. The organisation responds to humanitarian emergencies, launches global campaigns (for example against child marriage), promotes health and nutrition, delivers education programmes, is active in child protection, advocates child rights governance and seeks to end child poverty. Save the Children is active in Africa, Asia, Europe, the Middle East, North America and Latin America. Despite the depoliticisation of Save the Children, the organisation pursues political solidarity in its programmatic work and campaigning (Baughan and Fiori 2015).

### ***World Vision***

Founded in 1950, World Vision (WV) is the largest evangelical agency and one of the 10 largest international non-governmental organisations (King 2012, p. 924). WV was founded as a 'missionary support organisation' in the context of the Korean War and provided emergency resources to Korean hospitals, schools and orphanages (King 2012, p. 927). In 1953, the founder introduced the concept of 'child sponsorship' which raised the necessary funds for

missionary orphanages and which was adopted by other agencies (King 2012, p. 928). Bornstein (2001) identifies the child sponsorship programmes as paradoxical and ambiguous because they ‘both elide and reinforce differences of poverty and wealth between sponsors and recipients and within local communities’ (p. 606).

Word Vision has focused on addressing hunger since the 1970s. In response to the 1984 Ethiopian famine, the income of the organisation increased by 80% in one year (King 2012, p. 937). Like other evangelical relief and development organisations, WV continued to grow throughout the 1980s, increasingly relying on federal funds and gaining consultative status with the UN (King 2012, p. 937). It is one of the largest multi-mandated humanitarian NGOs and in 2016, the budget had grown to over US\$ 2.7 billion. The growth of the organisation can be explained by professionalisation and adopting a Christian identity which permitted collaboration across ‘ecumenical, interreligious, and even secular divides’ (King 2012, p. 938).

### ***Médecins sans Frontières***

Compared to other humanitarian NGOs, there is a much broader scholarly literature discussing MSF. The organisation received the Nobel Prize in 1999 and has a charismatic and media-savvy leadership. Moreover, the NGO has a research centre and provides researchers access to the organisation (for example Heyse 2007; Fassin 2012; Redfield 2013; Fox 2014). A number of former MSF volunteers have published their memoirs (for example Olson 1999).

Founded in 1971, Médecins Sans Frontières represented a new type of humanitarian organisation that felt constrained by humanitarian law insisting on impartiality and neutrality. Bernard Kouchner and his co-founders of MSF interpreted the situation in Biafra as genocide (Terry 2002) and felt that it was necessary to not only provide aid but expose what was going on during the Biafran war (Rieff 2002). The organisation adopted the principle of *témoignage* – the duty to bear witness (Davey 2015). MSF engages in advocacy work, highlights neglected crises and criticises inadequacies of the aid system. In 1999, for example, MSF started campaigning for lowering the price for HIV/AIDS treatment; in addition the NGO calls for research on medicines to treat malaria and neglected diseases such as sleeping sickness and kala azar (Fox 2014). Financial independence from state support allows the organisation to set its own agenda and to be critical of governmental and intergovernmental organisations.

MSF sections differ and occasionally are in conflict (Siméant 2005). Some sections (including MSF France) are operational and are sending teams overseas. Other sections (including MSF-UK) are not operational but involved in fundraising, advocacy, public education and volunteer recruitment and thus support operational sections financially (Stroup 2012). Some sections are comfortable accepting government funding, whereas others rely on private donations (Sondorp 2011). Stroup (2012, p. 4) argues that ‘CARE, Oxfam and MSF resemble other charities from their home countries more than they do humanitarian relief groups around the world’, reflecting the regulatory environment (for example tax advantages), political opportunities, material resources and social networks. In 2011, MSF South Africa, MSF East Africa, MSF Brazil and MSF Latin America became members of the MSF Federation (Fox 2014).

### ***Islamic Relief***

Islamic Relief was founded in Birmingham in the UK in 1984 as one of several new Muslim organisations responding to the famine in the Horn of Africa (Petersen 2012a, p. 133). Today the largest Islamic humanitarian NGO and operational in countries around the world, its

country offices are in Europe (Germany, Sweden), Asia (Bangladesh, Malaysia), Africa (Mali, South Africa) as well as in the United States and Australia.

Like other Muslim humanitarian organisations, it can rely on donations of individuals and is thus financially independent from government support. However, since 9/11 Islamic Relief's budget has grown and the organisation has received grants from institutional donors (DfID, ECHO, UN agencies) (Petersen 2012a, p. 138). The organisation attributes its growth – not just in budget, but also in staff and programmes – to its Muslim identity (*ibid.*). That does not hinder the organisation cooperating with secular and Christian faith-based organisations.

## **Comparison**

These five exemplary organisations illustrate how the founding of NGOs responds to disasters and conflicts but also to each other. The founders of MSF felt that the approach of older humanitarian organisations was inadequate; the creation of Islamic Relief is a reaction to the activity of secular and Christian humanitarian organisations in the Islamic region. The five organisations are not only different from one another; they also share some similarities. For example, Save the Children and World Vision, a secular and a faith-based organisation, share a focus of children – innocent victims of conflict, poverty and disaster. MSF and Islamic Relief can rely on the funding of individual private donors which makes these organisations independent from state funding. Each of these organisations has developed a brand identity to compete on the NGO market. These five NGOs represent 'behemoths' (Swidler and Watkins 2017) which can be contrasted with countless small NGOs which might only include a few founding members, concentrate on one village, orphanage or school and focus on one issue only. Whether 'behemoths' are actually more efficient than 'butterflies' (Swidler and Watkins 2017) is questionable. Furthermore, what starts out as an initiative of individuals might evolve into a global brand. In the next section, I turn to the organisational characteristics of humanitarian NGOs.

## **Inside the black box – how do humanitarian NGOs work?**

The growth of the humanitarian aid sector since the 1980s is associated with increased budgets and personnel as well as professionalisation and standardisation processes. In fact, Siméant (2005) compares the internationalisation of NGOs to the expansion of multinational corporations. The transformation of NGOs into 'complex transnational bureaucracies' includes the adoption of strategic planning and strategic management, the adoption of internal staff guidelines, recruiting staffers with a background, the professionalisation of human resources departments and paid staff becoming more of a standard (Stroup 2012; Oelberger et al. 2017). In this section, I will address how NGOs decide on operations and how they are affected by and respond to increased security threats. Furthermore, I will address the adoption of standards and how they are disseminated. Finally, I will turn to the NGO workforce.

## **Who are the beneficiaries?**

Aid recipients are frequently referred to as 'beneficiaries'. However, a closer look at the decision-making processes of humanitarian NGOs raises the question of what role 'needs' play in decisions about operations and the allocation of resources. Or rather: whose needs play a role in the decision to deploy. Koddenbrock (2016) lists a number of factors that influence the

decision-making of humanitarian NGOs in addition to the needs of the population that shall be served: organisational identity; changing programme priorities; national differences; being present in the appropriate number of countries (not too many, not too few); donor preferences and media attention; security conditions (more about those below); infrastructure; ‘added value’; access to the population; and whether the state is strong or weak (p. 88). Humanitarian NGOs are accountable to their donors, which means they are constrained in how they can spend their funds, and compete with other agencies for private donations and public grants. Krause (2014) therefore argues that humanitarian agencies produce projects which are ‘relatively independently of beneficiaries’ needs and preferences’ (p. 4). Similarly, Swidler and Watkins (2017) characterise the intersecting projections of donors, brokers and aid recipients as ‘fevered imaginations’ (p. 19).

Of course, providing medical assistance, education, food and shelter is tremendously important and aid organisations and their staff work in challenging conditions. The point is whether the aid that is provided is the aid that is needed and whether those most in need of it are the ones that obtain the aid or those which are most easily reached or in other ways advantaged. One obstacle to providing aid can be the security situation, to which I turn next.

### ***Why are humanitarian NGOs and their staff attacked?***

It seems strange that those who offer humanitarian assistance face significant threats including kidnapping and death. Why attack the helpers? While aid workers have disappeared and died during missions throughout the 20th century (Fast 2014), since 1990 and particularly since 2001 incidents involving kidnapping and killing have steadily grown (Stoddard et al. 2011). Between 1997 and 2013, attacks on national staff have increased while they have somewhat decreased for international staff. The two groups also face different risks: national staff are more likely to be killed whereas international staff are more likely to be kidnapped (Stoddard et al. 2011). Hammond (2008) interprets the violence against humanitarian workers as ‘performative acts’ that send messages of insecurity and disregard of the humanitarian principle.

At the beginning of the millennium, humanitarian organisations responded with the adoption of measures to mitigate these risks (van Brabant 2010; Schneider 2018). This included developing security systems and employing security advisors (Bruderlein and Gassmann 2006), shifting tasks from international to national staff and ‘bunkerization’ (Duffield 2012). Such measures result in an increased distance between international aid workers from the local population and can be counter-productive by undermining trust. Fast (2014) therefore argues that a professionalisation of security measures might undermine the humanitarian project and that more attention needs to be paid to internal factors such as how the behaviour and programme of international aid organisations might contribute to the insecurity of aid. In contexts such as Afghanistan, Iraq and Kosovo, Muslim aid organisations appear to be better integrated into the relief community and experience fewer attacks than Western aid organisations (de Cordier 2009). Thus, aid organisations which are perceived as respecting the local context appear to be more secure than those who are seen as being associated with military forces and/or disregarding local customs and ignoring local needs.

### ***How to improve the delivery of aid?***

Discussions on how to improve the delivery of humanitarian relief go back to the late 1980s (Minear 1988), but the Rwanda Crisis of 1994 which drew an immense number of NGOs

to the country led to a critical evaluation of emergency assistance and the development of standards for the delivery of humanitarian assistance (Buchanan-Smith 2003). Further crises (for example the Asian tsunami or the earthquake in Haiti) led to similar critical assessments. A number of networks and organisations which survey and support professionalisation processes seek to improve the delivery of aid emerged: the Active Learning Network for Accountability in Humanitarian Action (ALNAP), the Humanitarian Practice Network (HPN), Enhancing Learning and Research for Humanitarian Assistance (ELHRA), the International Humanitarian Studies Association (IHSA) and Professionals in Humanitarian Assistance (PHAP), to name just a few initiatives (Walker 2004; Walker and Russ 2011).

These debates resulted in the Code of Conduct initiated by the International Federation of the Red Cross and Red Crescent Societies and the Steering Committee for Humanitarian Response (Walker 2005) and the Sphere project and handbook. Both of these initiatives, the Code and the Sphere handbook, have been criticised for their bias towards Western INGOs which risks undermining local NGOs (Hilhorst 2002, 2005). In addition, there is so far little evidence that the promotion and adoption of these codes and standards have actually had an impact on the performance of aid organisations (Crack 2016) and rigorous assessments of the impact of aid are needed (Koddenbrock 2016; Swidler and Watkins 2017). Swidler and Watkins (2017) suggest that small 'butterfly' donors might have a bigger impact on communities than the projects of the behemoth organisations.

Since the 1990s, humanitarian studies programmes have been established, primarily in English-speaking countries and at North American and European universities, though a core curriculum seems to be missing (Rainhorn et al. 2010; Walker and Russ 2010). The European Union supported the creation of the Network on Humanitarian Assistance (NOHA), an inter-university multidisciplinary European master's degree in international humanitarian action (Walker and Russ 2010). In addition to university-based courses, international humanitarian organisations are engaged in distance learning (Bollettino and Bruderlein 2008). However, rather than academic knowledge, applicants appear to lack experience, for example how to deal with stress and how to apply techniques and methods in the field (Gonzalez et al. 1999). Placements which are offered by some NGOs as well as ECHO's volunteer programme (EVAC) seek to remedy this by providing opportunities to gain field experience (Walker and Russ 2011).

### ***Who works in humanitarian NGOs?***

Given the diversity in size, mandate and identity, humanitarian NGOs differ widely in their structures and thus career opportunities. International humanitarian organisations comprise head offices which might be based in Geneva, London, New York, Johannesburg, Nairobi or Bangkok. Larger organisations have regional offices which oversee operations as well as field offices. International staff can be based at head offices, regional offices and field offices. At regional and field offices, expatriates are supported by national staff. In fact, the vast majority of humanitarian aid workers are national staff whereas the majority of those in leadership positions tend to be Western expatriates (Roth 2015). National staff serve as brokers which connect international donors with local beneficiaries (Swidler and Watkins 2017).

Humanitarian organisations include paid staff as well as volunteers. Who is paid and who is not paid depends on the character of the organisation and on the position within the organisation.

In general, the pay of international staff tends to be much higher than the pay of locally hired staff which can contribute to tensions within the organisation (McWha and MacLachlan 2011). Unpaid positions can play a crucial role in aid worker careers as they allow people to gain field experience. In particular, smaller NGOs offer limited career opportunities; furthermore, the jobs tend to be project based, which leads to a high turnover. It is not unusual for aid workers to move between aid organisations (Damman et al. 2014; Korff et al. 2015; Roth 2015; Oelberger et al. 2017). Paid and unpaid aid work represents meaningful work (Taylor and Roth 2019).

### Not-so-distant suffering

Humanitarian action tends to be associated with the concern for ‘distant strangers’ (Boltanski 1999) rather than with the needs of marginalised groups present in high-income countries. In this regard, Fassin (2012) represents an important exception as he frames the suffering and exclusion of unemployed people, asylum seekers and undocumented immigrants in France as humanitarian crises. Furthermore, the majority of aid to refugees and internally displaced persons (IDPs) has always been provided within the country and neighbouring countries (Farah 2003), whereas international aid organisations have only provided a small proportion of support. Furthermore, the aid provided by aid organisations and donors is dwarfed by remittances (Driffield and Jones 2013). Thus, humanitarian aid is primarily provided by neighbours, family members and other communities rather than by foreigners motivated by media appeals – and adventure.

The ongoing refugee crisis in Europe challenges the notion that humanitarian crises take place elsewhere, in regions affected by poverty, disasters and conflict. The attempts of people from the Middle East and Africa to reach Europe by crossing the Mediterranean Sea and the camps in Italy, Greece and France do not seem to fit into the framework of the humanitarian NGO sector. Dependence on government funding might be one factor explaining why not many Northern aid agencies seem to be involved in providing assistance. As long as most European governments seek to prevent migration and refuse to accept refugees, government-dependent NGOs might jeopardise their revenues. Italy and Greece, the countries most affected by the Financial Crisis of 2008, carry a far higher burden and assist those who have survived the perilous journey across the sea whereas other governments give in to right-wing populism. Furthermore, the current refugee crisis reveals the racism and racialisation that underpins the humanitarian sector – after all, many humanitarian NGOs were formed and dealt with European refugees after the First, Second, Cold and Yugoslav Wars, but seem to be less engaged to provide relief to this refugee movement. At the time of writing this chapter, MSF highlighted the refugee crisis as the ‘greatest displacement crisis since World War Two’ on its homepage and is involved in search and rescue missions on the Mediterranean Sea, which resonates with activities in its early history rescuing Cambodian and Vietnamese refugees (Davey 2015). Oxfam supports refugees in camps in Jordan and Libya as well as providing support in Italy, Serbia and Macedonia. Cuttitta (2018) distinguishes between humanitarian NGOs which depoliticise and those that repoliticise migration and border policies in the context of search and rescue (SAR) missions in the Mediterranean Sea. Such life-saving SAR missions stabilise the status quo as long as they do not challenge the political context which requires humanitarian assistance. MSF combines the saving of lives with a critique of the political context that makes humanitarian intervention necessary and thus repoliticises SAR missions; in contrast Save the Children tends to

maintain a neutral political profile and is thus engaged in depoliticising humanitarian work (Cuttitta 2017, endnote 8). As noted above, MSF tends to be financially independent from public support to a much greater extent than other humanitarian NGOs which is reflected in its state-critical stance.

Access and use of digital communication is another recent development that has changed the relationship between those who offer and those who receive (or are meant to receive) humanitarian assistance. Digital communication plays a significant role in traditional aid organisations which use websites and social media to inform the public about their activities in order to elicit donations. In addition, new forms of digital humanitarianism (Meier 2015) emerged that involve crowd-sourced activities which might undermine the role of traditional organisations. For a critical assessment see Roth and Luczak-Roesch (2018). This might involve a shift from 'collective' to 'connective' action (Bennett and Segerberg 2012) and thus result in networked (Tufekci 2017) humanitarian action which involves diaspora. Both digital activism and the current refugee crisis minimise the distance between donors and beneficiaries.

## Conclusions

Humanitarianism and humanitarian NGOs have always been embedded and shaped by power relations and inequality related to capitalism, colonialism and racial stratification. While impartiality and need are stressed in order to solicit funding and donations from private and public donors, the reality of the aid sector demonstrates a multiplicity of motives, not least the reproduction of NGOs and their workforce. Moreover, while some NGOs rely on private donors, many NGOs receive government funding and are thus less independent. They thus vary in their critical stance towards governments. In addition to service delivery, many NGOs seek to influence the government and the private sector to support humanitarian initiatives through funding, research or legislative change. The sector of humanitarian NGOs is incredibly diverse and complex and goes far beyond the large Western NGOs which are well known thanks to branding and the use of multiple media. In addition, humanitarian NGOs have emerged in all world regions, bringing in new voices. Although the 'behemoths' receive the most media attention, they represent only a small number of humanitarian NGOs (albeit with gigantic budgets); the vast majority of humanitarian NGOs are small – and only known to their beneficiaries and donors. Professionalisation does not necessarily mean that an organisation only includes paid staff. Trained professionals might carry out humanitarian assistance as unpaid volunteers. While humanitarian professionals represent a highly qualified – paid and unpaid – workforce, what seems to matter for the delivery of humanitarian assistance is to what extent the programmes meet the needs of the intended beneficiaries rather than the organisational reproduction of humanitarian NGOs.

Future research should pay more attention to smaller NGOs, especially non-Western NGOs, and compare humanitarian NGOs that are active in the Global South with third-sector organisations active in the Global North. Research must address power relations and inequality within humanitarian organisations, paying attention to the intersection of race, class and gender and how it reflects involvement in the organisation, the programmes and priorities of humanitarian organisations, and how they are perceived by beneficiaries. Furthermore, it is important to understand how digital humanitarianism changes the work of humanitarian organisations and aid relations.



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# Five generations of NGOs in education

## From humanitarianism to global capitalism

*Will Brehm and Iveta Silova*

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### Introduction

Non-governmental organizations (NGOs) in education are as diverse in their activities as they are wide in their geographic reach. Some NGOs deliver educational content within their own non-formal school settings, similar to mainstream schools but typically outside the authority of ministries of education. Others operate inside public schools, providing additional teaching and learning services, scholarships, and/or infrastructure improvement. Still other NGOs focus on capacity development in and out of schools for teachers, administrators, policymakers, and families. Teacher labour unions or federations can also be considered NGOs especially when part of transnational advocacy networks. Found in nearly every country worldwide, NGOs in education are, collectively, a non-organized, diverse, and, at times, influential group, ranging in size, type, and political orientation. They can impact the practices of non-formal, formal, and technical education as well as education policymaking locally, nationally, and globally.

Meliorism is the general metaphysical predisposition of many NGOs in education. The logic of meliorism is, at least since the 1990s, typically situated within a human rights discourse, advancing Western liberal ideals – including an emphasis on individual rights – as the universal goal. While meliorism emanated through the educational work of Christian missionaries during colonial times, today – in the more secular era – NGOs in education purport that not only is human progress possible but also there exist universal rights that transcend any and all legal rights of nation-states. In this context, many NGOs in education aim to advance, promote, and protect education as a human right. The belief that NGOs must act to protect human rights, especially if/when nation-states do not, has been called an “interventionist approach” to humanitarianism that “is increasingly understood to be nonpolitical and ethically driven” (Chandler, 2001, pp. 678–678). At an extreme, it may be interpreted as colonialism by another name.

Historically, the merging of education NGOs and human rights occurred during the 1993 United Nations World Conference of Human Rights where over 800 NGOs attended (UNHCR, n.d.). The conference, held in Vienna, aimed to develop monitoring mechanisms to ensure all member states worked towards the Universal Declaration of Human Rights (UDHR), which was first ratified by the General Assembly of the United Nations in 1948 in response to World War II. By the 1990s, human rights were believed to be the international normative

and legal framework that would advance a tolerant global society, even acting as the rationale for military intervention (e.g., in the Federal Republic of Yugoslavia to end human right abuses against Kosovo Albanians in 1999). By the 1990s, human rights were a common global discourse; “you couldn’t escape it” (Cmiel, 2004). The Vienna conference was a “key driver” bringing “non-liberal states into the human rights regime” (Dunne & Hanson, 2009, p. 67). It also provided NGOs in education a *raison d’être*.

Despite their ameliorative intentions, NGOs are not without controversy. Controversy can come through the way in which NGOs are funded. Does money from philanthropic donors, grants, or the state influence what NGOs do? Do short-term funding cycles create a precarious financial environment for NGOs providing essential services such as education in low-income countries? Other controversy emerges through the way in which NGOs are staffed. How are local staff members treated compared to international staff members? To what extent does an NGO rely on international volunteers? Still other controversy can be found in the organizational structure. Is the NGO registered and in compliance with state laws? Perhaps the main controversy of NGOs in education revolves around their implication in the decline of state-provided schooling. By offering services typically organized by the state, are NGOs undermining the notion of a public education or are they providing essential services that the state cannot provide?

Cutting through both the activities of NGOs and their controversy is the power of neoliberal capitalism in contemporary education. Neoliberalism is a

political project carried out by the corporate capitalist class as they felt intensely threatened both politically and economically towards the end of the 1960s into the 1970s. They desperately wanted to launch a political project that would curb the power of labour.

(Harvey, 2016)

Over the following decades, the national and global capitalist classes have slowly retooled societies as capitalism became dominant. In education, this has resulted in a political economic restructuring that has promoted, to list but a few outcomes, individualism, self-realization, competitiveness, decentralization, managerialism, and student-centred learning (Carney, 2009). Teacher unions were slowly undermined and new ways of deskilling teachers were found with every technological innovation (Apple, 1982, 2003). Public education, as a result, was undermined by various privatization practices, to which NGOs contributed, perhaps unknowingly (Silova & Steiner-Khamsi, 2008). Today, despite their do-gooder intentions, many NGOs are both the product and producer of neoliberalism (Bernal & Grewal, 2014; Wallace, 2009). Many in the transnational capitalist class have subsequently become the patrons of NGOs or have started their own, including Bill Gates’ Bill and Melinda Gates Foundation, George Soros’ Open Society Foundations, and Mark Zuckerberg’s Chan Zuckerberg Initiative, to name a few.

Despite promises of responding to local needs, some education NGOs have, in fact, been co-opted, to various degrees, by powers that are actively undermining education as a public good. This occurs by reducing and changing the role of the state in education, furthering privatization, and bestowing legitimacy on actors advancing global capitalism, such as the Organisation for Economic Co-operation and Development (OECD) and the World Bank. The most egregious examples of such co-opting are some (supposed) grassroots and local movements that claim to speak for the powerless but in fact further the interests of the powerful. They are not grassroots social movements at all, but rather a form of astro-turf – manufactured movements that support the neoliberal global education agenda (Cave, 2015).



This is not to say that every NGO furthers neoliberal capitalism; in fact, there are some that actively lobby against it (see Ismail & Kamat, 2018 who detail the complexity of NGOs vis-à-vis the neoliberal state). NGOs that actively mobilize labour movements (in education, that is primarily teachers) are usually a counterforce to the spread of neoliberalism. Although their numbers are small, these types of NGOs do exist and have had notable outcomes. However, such NGOs have had difficulty within some nation-states where labour unions have been brutally repressed in the era of neoliberal capitalism and within a global discourse that blames teachers for low student achievement measured on standardized examinations. The rise of an authoritarian neoliberalism in the post-global financial crisis era has further changed the political landscape in which NGOs on the political left operate (Ismail & Kamat, 2018).

In this chapter, we detail the emergence of NGOs in education and the main debates around their involvement, and then discuss two extremes: NGOs that have been co-opted by neoliberalism and those that actively fight against it. The point of presenting extremes is to show the broad scope of education NGOs' work and discuss the complexity of the contemporary NGO landscape, suggesting not that all NGOs are one or the other but rather that there is a complex spectrum. More fundamentally, the goal of this chapter is to highlight the contradiction within neoliberal capitalism that, on the one hand, people and institutions can reproduce a system unknowingly, while, on the other hand, fighting against global capitalism often means doing so from within the system. We conclude the chapter by questioning the meaning of the public good of education vis-à-vis NGOs and whether it can exist, in new forms, not only within global capitalism but also within the contemporary moment of reactionary nationalism.

## Five generations of NGOs

The emergence of NGOs in education is difficult, if not impossible, to pinpoint universally. In South Africa, NGOs provided educational services to black and indigenous people who faced severe discrimination after the 1909 South Africa Act passed the British Parliament, which presaged apartheid in 1948 with the election of the National Party (Mazibuko, 2000). In Latin America, NGOs in education began to appear in the 1950s, first spreading the then-popular Liberation Theology through Catholic churches, and later supported by the United States and its affiliated philanthropic organizations, such as the Rockefeller and Ford Foundations, in efforts to advance its national interests through soft power (Pineda, 2013). The US involvement in Latin America was under the guise of supporting citizens repressed by national leaders who opposed various US policies and practices. In China, although “social organizations” have been found since the Sui (581–618), Tang (618–907), and Song (960–1279) Dynasties and missionary NGOs have been present throughout European colonialism (e.g., Harrison, 2008), it was only since the 1990s, when the country began to integrate into the global market economy, that education NGOs promoting human rights emerged (Zhang, 2003).

Given the complex history, it is helpful to think of the background of NGOs in education through a heuristic rather than in specific detail in one context. David Korten's (1987, 1990) work on the “generations of NGOs” offers a valuable starting point, since it spans the 1950s through the 1980s when what we might call “modern” NGOs emerged (Degnbol-Martinussen & Engberg-Pedersen, 2003). He identifies four generations of NGOs. The first generation is focused on relief and welfare. These are NGOs that provide support to people in acute need, such as indigenous groups in South Africa aforementioned or populations recovering from natural or human disasters. Such humanitarian support, delivered through NGOs, may include education, but usually focuses on immediate needs such as food and shelter, the basics for sustaining life in emergencies. First-generation NGOs include large numbers of religious charities,



usually Christian missionaries (which have historical legacies dating back to the colonial era). Today, many Christian-affiliated NGOs provide educational services to populations believed to be in need or poor (e.g. Caritas Internationalis, Hope International, World Vision, and others).

Second-generation NGOs are what Cardelle (2003), reading Korten, labelled “technocratic and developmentalist.” These NGOs aim to build the capacity of target communities through so-called proven solutions so they do not, in the long run, require humanitarian assistance from outsiders. Education plays a particularly important role in second-generation NGOs because it is the educational process that will, it is believed, lead to sustainable human and social development. It is precisely here where the ameliorative tendencies of NGOs in education clearly emerge. It is also where the challenge to the state arises: either the state cannot provide or provides inadequate schooling. NGOs step in to help. This help manifests typically by NGOs from the Global North (or organized by people from the Global North) that perceive the education of a targeted group of people from the Global South as inadequate or absent for the desired development. A new technical solution provided by the NGO is believed to be the remedy to the identified social ill, but it is rarely scaled to the whole national population. An NGO may open its own school to provide specific training on some desirable skills (e.g., computers, English language, etc.) or may partner with an existing public school to undertake “capacity development” (e.g., teacher training, classroom construction, etc.).

It is within the second generation of NGOs where the “development expert” was born (Parpart, 1995). This expert is believed to be able to provide the right technical solution to a given development problem. Although these experts rarely work for small-scale NGOs such as those found in the second generation, the logic behind their perceived need derives from second-generation thinking – that there is a technocratic solution, absent politics, to any problem of development that only a qualified expert can ascertain, similar to the ability of a medical doctor to diagnose an illness. As we will see below, the role of the development expert expands in future generations.

The third generation of NGOs that Korten (1987, 1990) identifies looks beyond small-scale, local solutions to problems, aiming their effort instead on large-scale, national, and international structures. These NGOs try to change policy and governance of the education sector, both nationally and internationally. This generation of NGOs emerged most prominently in the 1990s alongside the human rights discourse. In the 1990s, it was a common refrain that states were unable to meet the international norm of attaining universal basic education, which emerged inside the United Nations in the 1960s and became a keystone of global education governance after the 1990 Jomtien World Conference on Education for All (Rose, 2007, p. 1; see also Mundy & Murphy, 2001). NGOs working at the level of policy and governance were legitimated by the United Nations, thus spurring the growth of third-generation NGOs. Soon, some NGOs found a seat at the national decision-making table of education policy (Edwards & Brehm, 2016), while others began to influence large donors, such as the Open Society Foundations (Silova & Steiner-Khamsi, 2008). Development experts quickly found lucrative consultancy work worldwide, creating a perceived world devoid of context where evidence-based research could provide supposed universal solutions (Brehm & Silova, 2011).

The fourth and last generation of NGOs that Korten (1987, 1990) briefly describes are those NGOs that coordinate activities through local, national, and global networks. This can include very large NGOs such as Education International, the federation of teacher unions that began in 1993, as well as smaller NGOs that serve as umbrella organizations in one country. The NGO Education Partnership in Cambodia is an example of a smaller NGO that is part of the fourth generation, since it coordinates a network of many education NGOs within Cambodia, is connected to international groups such as the Global Campaign for Education, and actively seeks

to influence national policy making (Edwards, Brehm, & Storen, 2018). The main difference between third- and fourth-generation NGOs is the leveraging of a network to influence action, connecting to social network theories that gained popularity in the 1980s and 1990s (Castells, 1996; Deleuze & Parnet, 1987). Important in these networks are certain development experts who act as central nodes of power by transmitting various ideas (known as “best practices”), or what Nambissan and Ball (2010) call a “policy entrepreneur” (see also Ball, 2012).

After three decades, Korten’s theorization is still relevant to a certain extent. In education, there are still NGOs that provide humanitarian assistance; those that aim to build the capacity of schools and teachers; others that want to influence policy; and, most recently, growing networks of NGOs (and experts) that coordinate action globally. Nevertheless, the four generations miss much of the last 30 years, namely the rise and dominance of neoliberal capitalism. It is therefore important to update Korten’s heuristic with a fifth generation of NGOs. These are NGOs that have fully embraced or actively fight against neoliberalism, working through public–private partnerships, multi-stakeholder partnerships for education, and/or anti-capitalist social movements. Some embrace new trends in capitalism, from “Big Data” and e-learning to platforms, and help construct modern childhood and schooling (Wells, 2015). Teach For America and its global network, Teach For All, for instance, have created alternative teacher certification courses, supposedly deregulating teacher education but, in fact, requiring the state to issue emergency certifications in order to profit (Lahann & Reagan, 2011; Friedrich, 2016). Similarly, Bridge International Academies is a for-profit school network operating in many low-income countries that relies on standardized curriculum delivered by untrained teachers who use tablets (Riep & Machacek, 2016).

Another feature of fifth-generation NGOs beyond the focus on profit and/or re-defining public space (Popkewitz, 1998) is the embrace of philanthrocapitalism – the marriage of philanthropic organizations with corporate business practices (Klonsky, 2011). Such endeavours have resulted in spectacular failures, such as the US\$100 million donation by the founder of Facebook, Mark Zuckerberg, to Newark, New Jersey public schools (Russakoff, 2015). On a smaller scale, the combination of philanthropy and capitalism has created, in the Global North at least, the mistaken belief that one’s conspicuous consumption can actually help those who are impoverished. Case in point: Bono’s Product (Red), launched at the 2006 World Economic Forum in Davos, which was embraced by companies like Apple, American Express, and Motorola, encouraged companies to sell various products using the discourse of humanitarianism. Product (Red) is the epitome of neoliberalism: “a lean network solution to aid financing, takes funds from consumption – not taxation. It is an individual effort, the result of consumer power – not of collective/public will” (Richey & Ponte, 2008, p. 724). Beyond consumption, the neoliberal logic has also altered the concept of volunteering in this fifth generation, turning it into a profitable enterprise for NGOs in education and a site where neoliberal subjects are made (Vrasti, 2013).

The five generations outlined above are a heuristic device to help understand NGOs in education. The demarcations between generations are not firm; any one NGO can simultaneously exhibit elements of the various generations described. Additionally, demarcations are not static. An NGO can change its approach at various times and in different contexts. Reading across the generations, however, it is possible to distil some of the main debates when it comes to NGOs in education. The first is the issue of the state. Is the role of the state in education being subverted by NGOs? Clearly, first-generation NGOs are not usurping the state outright. Emergencies show the limits of state assistance, opening space for NGOs to provide humanitarian support, including educational services. However, as the generations progress, subversion becomes increasingly likely even if not the intent of the NGO. In the most extreme cases, such

as Bridge International Academies, profit motives in education *require* fifth-generation NGOs to dispossess the state from providing certain social services, such as education. Although payment can still – and likely must – come from the state, the role of the state in education is changed because of fifth-generation NGOs.

It is also possible to locate issues around grassroots mobilization. To what extent do NGOs represent the needs and desires of local populations? Such mobilization is, by definition, political, making some NGOs uncomfortable (because such mobilization could undermine relationships with ruling powers/parties) and others susceptible to unknown agendas, such as the global education reform movement's focus on choice and competition (Sahlberg, 2016), by large donors. In an environment where education is perceived as a universal and transhistorical human right, discussions over NGOs and politics are marginalized (Ferguson, 1994) but not completely absent (Bailey, 2015). Overall, the five generations provide a way to differentiate which NGOs are furthering global education governance as a neoliberal project and, if so, how. In order to examine this last point in more detail, the next section of the chapter explores two extreme cases – an NGO that furthers the neoliberal project and one that actively fights against it.

### **Co-opted by global, platform capital: the PAL Network**

Education NGOs have become, to various degrees, conduits through which neoliberalism spreads. Roy and Cusack (2016) called NGOs “missionaries of the ‘new economy’” (p. 55) and Ismail and Kamat (2018) called NGOs “a pillar of the neoliberal state” (p. 4). By embracing tenets of competition, choice, standardization, and using corporate business models, “the public sphere [has been] reclaimed by the private sector” (Kamat, 2004, p. 167). Instead of working for systemic change,

the proliferation of NGOs has not reduced structural unemployment or massive displacements of peasants, nor provided livable wage levels for the growing army of informal workers. What NGOs have done is to provide a thin stratum of professionals with income in hard currency who are able to escape the ravages of the neoliberal economy that affects their country and people and to climb within the existing social class structure.

*(Petras & Veltmeyer, 2001, p. 129)*

On top of the class conflict identified by Petras and Veltmeyer, NGOs have also embraced new features of global capitalism. One such feature is the rise of platforms, wherein new business models provide the software and hardware on which other businesses can operate (Srnicek, 2017). Data, extracted from increasingly surveilled users, become the raw material on which labour is done (e.g., data analytics for advertising on Facebook), providing ways to profit especially as networks grow: “the more numerous the users who use a platform, the more valuable that platform becomes for everyone else” (Srnicek, 2017, p. 45). In education, data can take many forms, the most common being assessments to measure learning outcomes. Although educational data companies have been controversial (see the case of InBloom; Bulger, McCormick, & Pitcan, 2017), NGOs have begun to embrace platform capitalism while using the discourse of earlier generations of welfare, humanitarianism, empowerment, and liberation. An exemplar of this type of NGO in education is the People's Action for Learning (PAL) Network.

The PAL Network consists of NGOs that assess the learning outcomes of over one million children in literacy and numeracy. Begun by a Pratham NGO in India in 2005, the PAL Network has expanded to NGOs in 14 countries across three continents. The Network provides

what it calls “citizen-led assessment,” meaning a group of volunteers administer literacy and numeracy assessments in the homes of children. These one-on-one assessments, the Network claims, measure outputs rather than the inputs of education, potentially providing governments with useful information on quality (or lack thereof). Target interventions could then be made based on the evidence of the assessments.

The PAL Network has turned what is effectively a household survey into a product perceived by many to be essential for education policymaking. It does this through a carefully constructed discourse that combines accountability and transparency with empowerment and progress. It advocates its assessments as a way to hold governments accountable for the education it delivers. By assessing the outcomes of learning (e.g., the ability to read or write), it offers a simple way to judge the quality of education. By making the results public, it gives information to citizens who can hold their government accountable for the social service provided. On top of these neoliberal discourses of accountability and transparency, the Network embraces meliorism by emphasizing the power of community involvement in education. The use of community members as data collectors supposedly empowers individuals to take part in education development in their local environment. The discourse of empowerment is reminiscent of second-generation NGOs.

Although the Network comprises a group of NGOs from the Global South, something it champions on its website using the term “South–South cooperation,” institutions from the Global North at the heart of global capitalism provide support and legitimacy. The Network, for instance, partners with the World Bank and UNESCO, displaying their logos prominently on its website. Many of the national NGOs that are part of the Network receive funding from the World Bank too. The US-based think tank, Brookings, meanwhile, champions the NGOs that are part of the PAL Network: “even in the face of daunting challenges and an uncertain future, ambitious goal setting, collaboration and *the effective use of evidence* can deliver impressive results in a relatively short amount of time” (Winthrop, Matsui, & Jamil, 2013, emphasis added).

Why would the World Bank, UNESCO, and Brookings champion a network of Global South NGOs? The answer can only be because the Network shares the same goals, vision, and practices of these Global North institutions. The neoliberal rhetoric of the Global North has been fully internalized by NGOs of the Global South. As such, the Network converges with Global North discourses of “schooling without learning” (World Bank, 2018) and of a “global learning crisis” (UNESCO, 2013; WDR 2018) – the rhetorical devices that turn the Global South into the Other of the Global North (Silova, 2018). The Network is seen as providing the evidence to prove these discourses correct; hence, the Network is crucial for Global North organizations advancing neoliberalism. More importantly, by providing a quantifiable diagnosis of the “global learning crisis,” the World Bank, UNESCO, and Brookings will have an easier time selling solutions to Global South governments. Interestingly, the PAL Network also proposes solutions based on the analysis of its own reports, suggesting its ambition to inform national and global policymaking.

Notwithstanding the potential benefits of a network of Global South NGOs, the PAL Network has not only been co-opted by neoliberalism but also operates like a platform, a new feature of global capitalism. It produces raw assessment data that then can be used by large financial institutions such as the World Bank to justify additional loans to governments and offer particular (neoliberal) education solutions. The Network relies on volunteer work that is piece-wage just like an Uber-driver: hired (or not?) for only the time it takes to conduct the assessment. As Marx (1990) wrote, “piece-wage is the form of wages most in harmony with the capitalist mode of production” (pp. 697–698) because the capitalist has no other social or economic obligations (e.g., health care or retirement benefits) to the labourer other than

the wage paid for hours worked. Once harvested, the data undergoes a process of intellectual labour – that is, analysis – by full-time employees of the Network (as well as others such as World Bank staffers, since the data is made public) who then present findings and solutions to government agencies and international donors. Here there is a clear class division between the survey collectors and the data analysts. The PAL Network gains in market share as governments adopt its proposed recommendations to the supposed learning crisis. Monopolistic tendencies increase as the network grows internationally, similar to the OECD's PISA test. All of these neoliberal tendencies, however, are glossed over by their emphasis on grassroots assessments, using rhetoric such as citizen-led and empowerment.

The PAL Network offers a window into the complexities of fifth-generation NGOs. The Network gains power by producing ever more educational data – relying on cheap labour and (re)producing class divisions among labourers – that can effectively be used by large international development class agencies lobbying governments to reform education systems in particular ways. Data collected, moreover, is described in ways that conjure a particular form of citizen – one who knows about the social services in his or her community, but who leaves change to others – and defines education in particularly narrow terms through the outputs of a standardized test. The PAL Network, in effect, mirrors the paradox of neoliberal democracy: “while symbolically expanding opportunities for democratic participation, it produces antidemocratic effects” (Nygreen, 2017, p. 57).

## **Resisting neoliberalism in education: Education International**

This is not to say that every NGO furthers neoliberal capitalism; in fact, there are some that actively lobby against it. For example, Ismail and Kamat (2018) theorize NGOs as “part of the balance of class forces that impact oppositional politics at national and international levels,” directing attention to how NGOs in different contexts become a part of the project of resistance to neoliberalism (p. 5). This has become more evident in the era after the global financial crisis of 2007–2008 where austerity policies and reactionary nationalism have mobilized anti-capitalist resistance coalitions trying to articulate a post-neoliberal vision. In the area of education, such resistance is clearly visible in the work of NGOs that actively attempt to mobilize labour movements – teachers and teacher unions – as a powerful counterforce to the spread of neoliberalism aiming to address the rapidly worsening conditions of teachers' work, promote their professional status, and support the professional freedoms of teachers and education employees.

One of the most active international networks operating against the neoliberal political project is Education International – a global federation of teacher unions that represents more than 32 million trade union members in about 400 organizations in 175 countries and territories worldwide (Education International, 2016). Education International was formed in 1993 as a result of a merger of the International Federation of Free Teachers Unions and the World Confederation of Organizations of the Teaching Profession.<sup>1</sup> By merging forces, Education International set out to strategically promote “both the expansion of trade unionism among teachers and the development of a unified, professional vision of global educational issues” (Mundy & Murphy, 2001, p. 108). Although the central concern of teacher unions historically has been the establishment of international standards on the status of teachers, Education International has shifted its priorities to address issues related to “the threat to teachers, and to public education more generally, posed by austerity and the new policy agenda” (Mundy & Murphy, 2001, p. 108). At Education International's founding congress in 1993, its then-general secretary, Fred Van Leeuwen, explicitly articulated Education International's work as a “battle with neoliberalism,” promising to mobilize forces in order to target the “international

education crisis . . . [as marked] by austerity measures in the South and by neoliberal schemes in the North, put forth to destroy free compulsory education and replace it with some form of fragmented semi-public or private system” (quoted in Mundy & Murphy, 2001, p. 108).

Similar to other third-generation NGOs working in the area of education, Education International frames its work within the human rights discourse, assuming universality of Western liberalism (for a critique see Hopgood, 2013). In fact, the adoption of the human rights discourse – and the universal and expansionist logic associated with it – has enabled Education International to build its transnational advocacy networks, justifying its global reach. For example, Education International’s *Barometer of Human and Trade Union Rights* report (2018) states that “education as a right is interrelated with other human rights whose fulfilment depends on it.” It further argues that access to education, as well as quality of learning, depend on “the political will of those who have the power to provide or deny this fundamental human right.” In contrast to many NGOs that attempt to substitute or supplement government’s efforts in ensuring the right to education, Education International’s strategy is thus oriented more towards advocacy, holding accountable those individuals and institutions whose actions hinder the right to education guaranteed by national and international law. In other words, Education International’s work is geared towards explicitly challenging the (neoliberal) status quo in the area of education – building on human rights discourse – and holding the powerful to account.

However, non-governmental networks such as Education International have had difficulty within some nation-states where labour unions have been brutally repressed, where freedom of speech and press are limited, and where the overall economic conditions undermine the right of children to receive free, quality education. As Education International (2018) describes: “some governments still deny education to the majority of their citizens; some deny education to certain groups; while others demand a single accepted interpretation of information and call it education.” In such contexts, challenging the status quo is much more difficult, requiring teachers and their unions to mobilize in strategic and innovative ways. In 2016, Education International’s activities ranged from capacity building for teacher union members, to monitoring major international trade and investment negotiations and agreements (such as Trans-Pacific Partnership and Trade in Services Agreement), and to commissioning research on priority issues (such as privatization of public education), exposing and holding accountable market actors who seek to transform public schools into profit-making business enterprises (see Education International’s annual report, 2016). In 2016, for example, Education International joined forces with the Uganda National Teachers’ Union (UNATU) to produce a report entitled *Schooling the Poor Profitably* (Riep & Machacek, 2016), documenting the impact of the commercialization and privatization of education in Uganda, where Bridge International Academies established 63 private for-profit schools, since February 2015, with an estimated 12,000 fee-paying students. The report revealed that Bridge International Academies in Uganda are actually undermining the accessibility of *quality* education for all, as well as infringing upon the sovereignty of the Ugandan state. Following the release of the report, Uganda’s High Court ordered the immediate closure of Bridge facilities, claiming that these schools provided unsanitary learning conditions, used unqualified teachers, and were not properly licensed. Similarly, Education International worked with the Kenya National Union of Teachers, East African Centre for Human Rights, and Global Initiative for Economic, Social, and Cultural Rights to produce a report on the Bridge International Academies in Kenya, leading to the closure of 10 Bridge schools in Busia County for failing to meet education standards (for more, see the Global Initiative for Economic, Social, and Cultural Rights, 2017).

By mobilizing education stakeholders at national and international levels in the struggle against neoliberalism, Education International uses its networks to give national teacher unions greater



leverage in pursuing their goals (reminiscent of a fourth-generation NGO). As Keck and Sikkink (1998) explain, belonging to such a transnational advocacy network creates “a boomerang effect,” whereby diverse groups of stakeholders – within and across national settings – communicate, share information, and exchange resources as they work together to influence policy through common networks. As illustrated in the examples above, these transnational advocacy networks function by employing information politics (e.g., commissioning research on Bridge International Academies), symbolic politics (e.g., framing privatization of public education as a threat to education rights), leverage politics (e.g., calling on a stronger actor such as Education International to leverage the work of national teacher unions), and accountability politics (e.g., holding Bridge International Academies accountable through court action). As Mundy and Murphy (2001) argue, such transnational advocacy networks link domestic and international groups in *collective* protests against neoliberal education policies, situating Education International’s current formation within the fifth generation of NGOs.

Yet, Education International’s ambitious agenda and extensive geographical reach – while undeniably contributing to its political legitimacy – also contain an inherent risk of assuming a universalist stance that leaves no space for alternatives beyond Western modernity and its Left-leaning variations (Silova, Rappleye, & Auld, forthcoming). As Hopgood (2013) convincingly argues, the global discourse of human rights is “intimately tied to the export of neoliberal democracy” (p. xii), highlighting its ameliorative nature and historical predisposition to pursuing “a civilizing mission” across the world. Indeed, the discourses on human rights and democracy regularly intersect in Education International’s publications. For example, Education International’s website concludes the description of the organization’s history with the following paragraph:

As never before, the defense of the right to education has been joined with the defense and exercise of trade union rights to give EI and its member organisations the capacity to better represent all workers in the education sector and a seat at the global education policy table. Bringing together those enabling rights has also boosted the effective promotion by education unions of the culture, process and practice of democracy.

*(Education International, 2017)*

Clearly, Education International is interested in securing its own “seat at the global education policy table,” even if this means participating in and therefore maintaining the neoliberal status quo against which Education International claims to protect teachers and teacher unions. In this context, “to speak in the name of Human Rights is to put the neutral, objective, and universal ahead of the partial and subjective. It is to become *The Authority*” (Hopgood, 2013, p. 6, emphasis in the original). Education policies based on such abstract universalisms – whether stemming from the political Left or Right – tend to run the risk of focusing on their own (narrow) versions of “best policies and practices,” while marginalizing other, non-Western alternatives that aim to foster greater equality.

## Conclusion

While political scientists have viewed transnational non-governmental actors as marginal to state-based power politics until about 1990s (Mundy & Murphy, 2001), this is certainly no longer the case. As this chapter has illustrated, in addition to grassroots initiatives some NGOs are now forming powerful transnational networks to directly engage in education policy and practice within and across different national contexts. While raising questions about the long-term



capacities and representativeness of these new advocacy movements, many scholars have gone so far as to describe them as “the harbingers of ‘global civil society’” in education, pointing to “a redemptive, semiautonomous political space in which popular organizations come together to create and participate in institutions of global governance” (Mundy & Murphy, 2001, p. 90). Worldwide, NGOs have been increasingly seen as playing an instrumental role in the collective effort of ensuring access to quality education for all, whether complementing, correcting, or substituting governmental efforts in the provision of public education. In this context, their work has been generally geared towards technical aspects of education reforms – providing assistance in the development of education standards, implementing new learning assessments, or transferring “best practices” – thus depoliticizing education.

Yet, NGOs are far from apolitical organizations. Using two examples of current fifth-generation NGOs, operating on extremes of the political spectrum, this chapter has illustrated that NGOs can act as both the conduit and obstruction to neoliberal education policy and practice. On the one hand, the PAL Network appears to contribute to advancing neoliberalism through its interdependency and alignment with the Global North logic of a “learning crisis” and its embrace of “big data” as the main mechanism for education reform. The Network has even adopted new features of platform capitalism, suggesting a new area of future research. On the other hand, Education International was a fourth-generation NGO that morphed into a fifth generation. It uses its growing network of teacher unions and federations worldwide to resist neoliberal policies and practices. Despite its successes, Education International has had to resist neoliberalism from within a system of universal ideals using a discourse closely aligned to that of “best practices.” For Education International, the struggle against neoliberalism must come from within the global capitalist system. While effectively mobilizing Left-leaning education stakeholders against neoliberal education reforms, such a universalist approach simultaneously neglects other alternatives to neoliberalism.

In an era marked by both Right and Left political dissent in many countries worldwide, “serious prospects of an alternative to neoliberalism herald the possibilities of systemic change” (Ismail & Kamat, 2018, p. 7). This could mean a sixth generation of NGOs is upon us that would have serious consequences for the meaning of the public good of education. Education in this nascent post-neoliberal era will need to be re-politicized. No longer will narrow understandings of quality based on standardized assessments of outputs be enough for citizen empowerment. Similarly, no longer will unquestioned assumptions of Western ideals as universal and transhistorical be enough to advance the complexity of everyday life in communities worldwide. NGOs will continue to play an important role in education for the foreseeable future. Just like previous generations, however, the work of future NGOs in education will be marked by diversity and complexity. Embracing the politics of NGOs in education is arguably the most pressing issue going forward.

## Note

- 1 International teacher unions have a longer history, dating back to the World Federation of Teachers Unions founded in 1946 (Coldrick & Jones, 1979).

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# The roles of the citizen sector in health and public health<sup>1</sup>

*Paul Gaist and Victoria Chau*

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## **The role of NGOs and CBOs – the role of the citizen sector**

There is a moral imperative to alleviate human suffering, regardless of where it occurs. Unfortunately, while understood and appreciated by most, all too often that call to action goes unheeded. This can be due to lack of awareness or objectively collected data; competing interests and priorities; limited resources; perceived lack of solutions; and/or even deliberate negligence and denial. All too often the suffering not only continues, it spreads and is perpetuated. This human strife and suffering often is a product of many health and public health challenges in the world today. Left unabated, unaddressed, such challenges generally will not improve; they will continue and exacerbate, leading to even more crisis, suffering, and consequence. We do not have to look any further than the recent outbreaks of Ebola, Zika, war, and violence in many parts of the world; water contamination and other environmental health threats near and wide; drug and alcohol addictions; and more – and they all happen “somewhere” – in communities, villages, towns, cities, countries, often coupled with the fear and possibility of local and global threat and devastation. Yet there is much to be hopeful about, in no small part the important and primary roles that community-based organisations (CBOs) and non-governmental organisations (NGOs) take on and serve in the vanguard, pushing back against these local and global challenges, both now and in the future. NGOs and CBOs are a growing force in public health and provide voice to the community; they act both directly and indirectly on public health through addressing social determinants of health, and they are showing the way forward as they improve their tools and approaches and innovate through partnerships and strategic planning.

For this chapter, CBOs and NGOs will be collectively referred to as the “citizen sector.” CBOs and NGOs include a whole host of organisations that generally are independent of the government or state. There is a spectrum of groups and organisations under the labels of “NGOs” and “CBOs”. Groups such as, but not limited to, faith-based organisations (e.g., Catholic Relief Services (CRS); the Mennonite Central Committee (MCC); the Jewish Federations of North America), trans-national health service organisations (e.g., the International Committee of the Red Cross (ICRC); Medecins Sans Frontieres/Doctors Without Borders; the World Health Organization (WHO)); local health service organisations (e.g., Whitman-Walker Health in Washington, DC; Healthcare for the Homeless (HCH) in Baltimore, MD; Alliance in the

Ukraine), and many others that are included within this sector are referenced as CBOs/NGOs (CRS, 2018; HCH, 2018; ICRC, 2018; Jewish Federations of North America, 2018; MCC, 2017a; Medecins Sans Frontieres/Doctors Without Borders, 2018; Whitman-Walker Health, 2018; WHO, 2018). And the citizen sector is interchangeably referred to as the civil society sector, the social sector, and the non-profit sector. At their core, these organisations are committed to the call of that moral imperative and they rise to the challenge of that call with their specific missions, skills, and reach.

The purpose of this chapter is to convey in short order the role of the citizen sector (NGOs and CBOs) in addressing health and public health issues, as well as to touch on the wide range of health and public health issues NGOs and CBOs are taking on in the world today. In addition, this chapter presents a way forward that is being embraced by many; namely, the trend and the need for the citizen sector to partner, problem solve, collaborate, and cooperate not only with each other, but also across sectors so that more coordinated and “complete” responses can be planned and implemented. To help convey and illustrate the chapter objectives, a few select examples of specific areas of effort will be highlighted.

Collectively, the citizen sector is focused on calling attention to, challenging, addressing, and solving root health and public health problems affecting their communities. It is often the NGOs/CBOs that pull the curtain back and bring the spotlight in, focusing attention on the issue at hand, collecting the needed information, articulating the problem, and working towards a solution or solutions. They champion their communities, serving as the clarion call and guardian, giving voice and empowerment to those who often have no organized voice or power on their own. Often this is done when the need is great, and the resources are few.

Health and public health-oriented NGOs/CBOs are focused on protecting and improving the health and the quality of life of the members, the citizens, of their community or communities of focus. Whether they are localised health and public health issues, such as water contamination or lack of health services in a town or city, or issues that transcend national boundaries such as infectious diseases, it is the citizen sector that is often first to ring the alarm bell and first to answer the call to action. NGOs/CBOs are essential health and public health leaders and stakeholders, representing their communities and providing and delivering key programmes and services. They work through community organising, education, information gathering, research, leadership development, community empowerment, political advocacy, and the development of sound health and public health policy. They work through their constituency, the members of the community that are most affected or potentially affected by the health and/or public health issue of focus, whether it is HIV prevention, malaria control, water and sanitation issues, lack of health services, violence, or environmental health.

### **Citizen sector’s expanding roles in health and public health**

The health of the public – of the individual and of the community – encompasses a range of issues in the world today beyond what many might presume or expect. The citizen sector runs the gamut, employing skills to undertake problem identification, information gathering and analysis, research, programme development and implementation, as well as programme and policy advocacy. The range of issues that come under health and public health is vast and range from the very local to the global. This section presents a lens through which to view this work and highlights only a few examples along this spectrum to present the overriding point that the citizen sector is ubiquitous in its reach and impact with respect to health and public health issues and concerns.

As stated, the cornerstone of CBOs and NGOs is the community. The power of the community is harnessed by the drive to address a problem within a specific community that has yet to be articulated and/or resolved. Many such problems and issues are commonly connected to either health or public health. From CBOs and NGOs that work towards improving direct services to health care, to those that strive for equity in education, or those that rebuild homes from natural disasters, these organisations all directly or indirectly seek to improve the health and well-being of individuals and/or populations. Public health's widespread reach covers a multitude of topics and continues to penetrate communities globally through the citizen sector.

The range of topics that intersect and contribute to the health of an individual or population can essentially be described through the Social Determinants of Health (SDOH). The SDOH are the social, economic, and physical conditions that affect where people are born, live, work, play, and age (HealthyPeople.gov, 2017). The United States Department of Health and Human Services' Healthy People 2020 (HP2020) Initiative identifies five key areas to the SDOH: education, economic stability, neighbourhood and built environment, health and health care, and social and community context (see Figure 21.1).

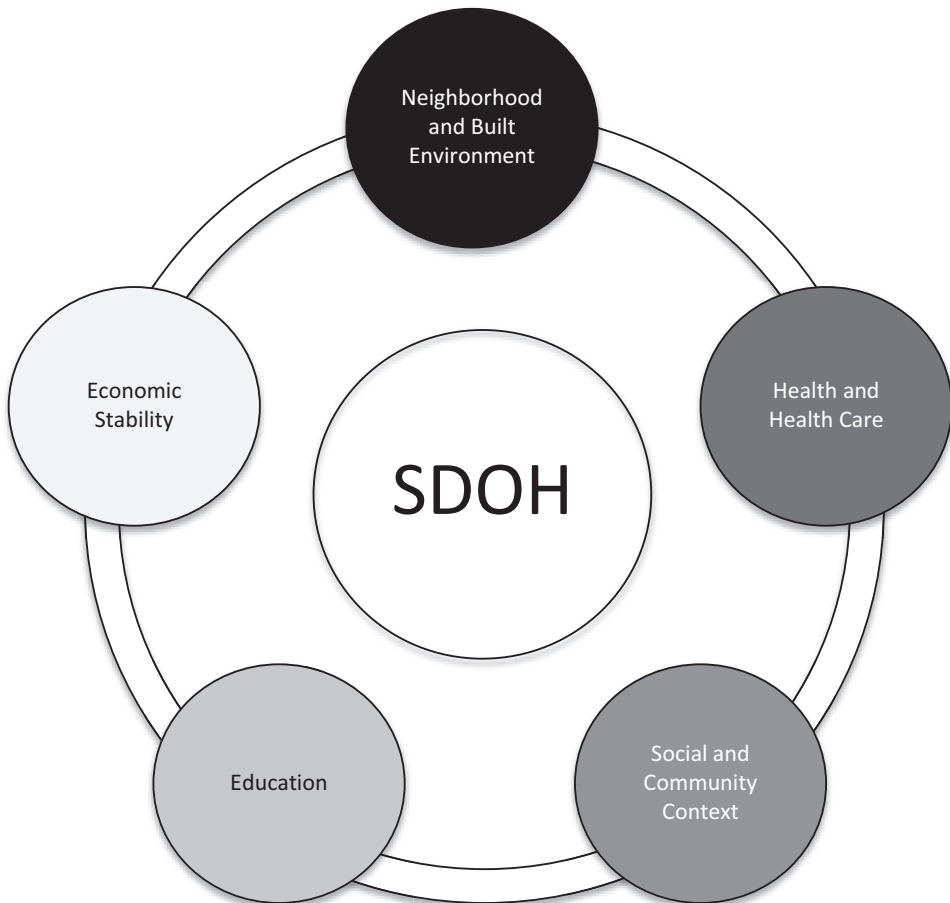


Figure 21.1 Social determinants of health (HealthyPeople.gov, n.d.)



By applying a SDOH framework, an issue or need can be viewed through a holistic lens in which there are multiple levels, systems, and factors that affect the health of a person and/or population. Through a SDOH framework, these five key areas must be considered when attempting to improve a person's or population's health. These five key areas often may be represented at the macro level as structural or systemic factors, which include criminal justice, social services, education, public transportation, and health systems, which are often all interrelated. When considering and working towards solving a health problem, the inclusion of macro-level factors such as these systems allows for structural inequities to be visible – a crucial component to understanding and achieving health.

What follows are selected topics and examples of the work of CBOs and NGOs that at first glance may not appear to relate to health. However, through a SDOH lens one can see the intersectionality of topics that compose the diverse range of public health. Through these selected topics and examples, a new and important view of health and public health and the many connected and interrelated links to it is presented.

The selected topics cover early childhood education and literacy, environmental health, food insecurity, built environment, mental health, technology, and globalism. Framed by these few topics, a snapshot of CBOs and NGOs from the US and around the world is offered. A snapshot and a view underscoring the many, possibly not readily evident, roles NGOs and CBOs have in improving health and public health. Taken together, it is an exemplar to understanding how central these groups and the citizen sector as a whole are to public health, whether in the local or global health context.

### ***SDOH area: education***

Literature on the SDOH has typically shown that those with higher levels of education have better health (Ross and Wu, 1995). Because of this, CBOs and NGOs geared towards improving education directly and indirectly strive for better health. An example of this occurring in multiple low- and middle-income countries is Room to Read, an NGO based in San Francisco, California in the US. Room to Read is a globally recognised leader in increasing literacy and quality education among children and youth, particularly girls, in 10 low-income countries in Africa and Asia (Room to Read, 2017a). Since its inception in 2000, Room to Read has expanded and accomplished remarkable feats – 19,884 schools/partners, with 9.9 million children who have benefited from the Literacy Program, 1,300 children's books published in 19 languages, and more than 20.6 million books distributed – all through partnerships with local communities, especially local governments (Room to Read, 2017b, 2017c). Additionally, Room to Read has trained 8,703 teachers and librarians in the year 2015 alone, and has had over 47,000 girls participate in their Girls' Education Program (Room to Read, 2017c). A case study of Room to Read from the Brookings Institution highlights the unique nature of this initiative, in that it is one of the most successful and well-funded NGOs in the US, with a budget that exceeds more than 50 million US dollars annually (Alexander, Kwauk, and Robinson, 2016). Room to Read's quality work has given them the opportunity to be invited to actively engage in policy discussions on literacy and education for multiple governments, including invitations to rewrite textbooks used countrywide in Cambodia (Alexander, Kwauk, and Robinson, 2016). Sixty per cent of Room to Read's funds are provided by investors, giving this NGO a strong financial foundation alleviating the need for multilateral and bilateral grants (Alexander, Kwauk, and Robinson, 2016). This investor-base continues to be committed to supporting this NGO because of the clear impact demonstrated by both quantitative and qualitative data (Alexander,

Kwauk, and Robinson, 2016). Room to Read is a notable NGO internationally, driven by the need for communities to be able to provide quality education to all children in hopes of fostering their growth, setting the foundation for maximising their potential as they become productive and healthy adult citizens. Through their work to increase literacy among children, particularly girls, they are instrumentally providing them with the foundation and opportunity needed for a healthier trajectory in life.

### ***SDOH area: economic stability***

An NGO focused primarily on gender equity in low- and middle-income countries in the economic arena is Mahila Housing SEWA Trust (MHT). As seen with Room to Read, when people are without education, their economic opportunity and stability is lessened; this is commonplace among low- and middle-income countries. Environmental health is the sector of public health that focuses on reducing risk to individuals and/or populations due to environmental toxins, hazards, or exposures (Davies, 2013). Addressing economic stability by promoting environmental health is illustrated through the work of MHT, an Indian NGO serving India, Nepal, and Bangladesh, whose mission is “to organise and empower women working the informal economy to exercise their rights as equal citizens to secure better habitat, environment, and basic services” (MHT, 2017). MHT serves geographically diverse populations of South Asia, both urban and rural, through many programmes and initiatives all rooted in community empowerment and capacity-building. With established programmes spanning several environmental health topics such as water and sanitation, energy and climate change, and housing and land issues, MHT acknowledges the importance of the environment in affecting the health of populations. Noteworthy to this NGO is its approach to solve economic instability locally through prioritising housing among a specific subset of the citizen sector – the women – who traditionally do not have an empowered role or voice within these traditionally paternal societies.

The driver for this NGO – women’s equity – shapes how economic stability is reached within these South Asian communities. MHT leverages the strengths of community through its women, by equipping them with technical and social skills to develop its community’s informal economy through the help of community-based organisations. For example, the Karmika School of Construction Workers trains women to be skilled construction workers, empowering them to earn more (80% of women who were trained reported increased incomes), and obtain more skilled construction positions such as masons; 30% of women who were trained reported becoming masons and 20% of women who were trained reported becoming helpers to masons after receiving training (MHT, 2017). Because of this training programme, associated improvements in women’s health and mental health have been achieved such as increased confidence while in the workplace and perceived higher status within one’s family, and lower incidences of sexual harassment of women at the workplace have been reported by women trained in the construction programme (MHT, 2017). The Karmika School of Construction Workers is just one of MHT’s programmes that this South Asian NGO employs to empower women and improve health while providing economic stability.

Another form of economic instability is food insecurity. Although obesity often leads to significant and debilitating adverse health outcomes including Type 2 diabetes, hypertension, and heart disease (Centers for Disease Control and Prevention, 2017), the most relevant food issue worldwide is food insecurity. Food insecurity is the inability consistently and reliably to access affordable foods that are healthy and of nutritious value. Though a ubiquitous issue

worldwide, solutions to food insecurity often depend on the social and community context. In the US, food banks are the most notable community-based entities that lead the mission to end food insecurity. One example of a food bank that tackles food insecurity through innovative strategies while considering a SDOH framework is Rochester's Foodlink. Foodlink is a member of Feeding America, a coalition of US food banks that work to end food insecurity in the US (Foodlink, 2017). Foodlink serves several counties in New York, and solves problem situations through the translation of research and the development of innovative solutions. For example, Foodlink decided to provide apple slices instead of whole apples to schools since many of the whole apples were being discarded, uneaten by the children. While this may seem a small and possibly inconsequential change, based on gathered data, it had a large positive impact. Foodlink, equipped with a commercial kitchen that can cut a high volume of fruit, decided to cut the whole apples they had been providing schools and to replace their delivery as sliced apples. This simple switch in the composition of the apple resulted in an increase in apple consumption by students (Sacharow, 2017).

Foodlink also leads other programmes to promote healthy eating and access, such as their Curbside Market and Backpack Program. The Curbside Market is a mobile farm stand that partners with local farmers to provide fresh produce to communities where access to fresh produce is scant. And to increase access, the Curbside Market accepts a wide range of payment from cash, debit, and social welfare programmes such as Supplemental Nutrition Assistance Program (SNAP) and Women Infant Children (WIC) programme, and Senior Farmers Market Nutrition Program (FMNP) checks. In 2016, more than 340,000 lbs. of fresh produce were sold (Foodlink, 2017). The Backpack Program provides backpacks filled with easy-to-prepare and nutritious food for children to bring home for weekends and holidays when schools are not in session (and children are not fed by schools). The Backpack Program's impact includes providing almost 69,000 bags of food across 80 schools in New York (Foodlink, 2017). Collectively, through these innovative programmes, Foodlink works towards improving health through ensuring sufficient and nutritious food is provided to families in need. Past research (as cited in Jyoti, Frongillo, and Jones, 2005) indicates that poorer academic performance in school (Alaimo, Olson, and Frongillo, 2001; American Psychological Association (APA), n.d.) and adverse health outcomes are associated with children's food insecurity (Alaimo et al., 2001; APA, n.d.; Ashiabi, 2005; Cook et al., 2004). Through their efforts dedicated to ending children's hunger, Foodlink indirectly improves children's success at school.

### ***SDOH area: neighbourhood and built environment***

Those who are living in food-insecure environments often are experiencing poor neighbourhoods and unhealthy built environments. Though environmental health is commonly associated with climate change, toxic waste and dumping, water and sanitation, and other similar hazardous environmental exposures, another significant component to environmental health is the built environment. The built environment is the human-made physical environment – buildings, parks, and other human-made spaces – in which people live, work, and play. An integral piece to the SDOH is the need for safe places to live and play. Thus, in this sense, neighbourhood and the built environment are interwoven. Two examples of CBOs which address this issue are SBP and KaBOOM!.

SBP is a CBO headquartered in New Orleans, Louisiana in the US Created in 2006 shortly following the devastating impact Hurricane Katrina had on the New Orleans community, SBP (formerly The St. Bernard Project) is well established and recognised in the US as a CBO

focused on increasing resiliency and recovery for communities and families affected by natural disasters (SBP, 2017). Over time, SBP has expanded in staff, capacity, and geographic reach. Most compelling with SBP is their ability to see a problem, and mobilise a community, through establishing community and national partnerships, as well as leveraging existing resources in a meaningful way. SBP partners with AmeriCorps (a three-month to one-year federal public service programme for young adults) to temporarily employ AmeriCorps members to meet SBP's mission "to shrink time between disaster and recovery" (SBP, 2017). These AmeriCorps members, who are often from the AmeriCorps National Civilian Community Corps (NCCC), are trained and gain the skill set to become client case managers, volunteer coordinators, and construction site supervisors that manage volunteers who have come from all over the US and the world to rebuild affordable homes from various natural disasters in seven US states. Since launching in 2006, over 1,300 homes have been rebuilt through the collaboration and service of SBP staff, volunteers, corporate partners such as Toyota, and federal and community partners (SBP, 2017). SBP understands the importance of having a home, and the emotional, mental, physical, and financial burden and loss of losing a home on families. Through their five-intervention approach – "rebuild," "share," "prepare," "advise," and "advocate" (SBP, 2017) – they not only rebuild healthy and safe homes at low costs through partnerships, they also give homeowners and businesses the tools to prepare for future natural disasters in order to build resiliency skills. With a new home, homeowners who are recipients of SBP programme can rebuild the pieces to their life starting with the built environment – where their house and neighbourhood become the foundation for living a healthy life.

The importance of the built environment is often discussed in the context of having healthy and safe places for children to play. Many low-income urban areas are lacking parks and green spaces for children to safely play and get their exercise. One example CBO that strives to increase play among children in poverty in the US is KaBOOM! (KaBOOM!, 2017a). KaBOOM!'s efforts to improve the built environment for children living in poverty is most often seen in their building of playgrounds in neighbourhoods where playgrounds are scarce or nonexistent, or their transformation of spaces into creative spaces for play in urban settings. KaBOOM!'s initiative, Build It with KaBOOM!, generates community ownership by enrolling community volunteers to build a playground in one day (KaBOOM!, 2017c). Since it began, the impact of KaBOOM! has been significant across the US – over 3,000 playgrounds built and over 17,000 play spaces improved (KaBOOM!, 2017c). KaBOOM!'s Play Everywhere and Playful City USA encourages cities to actively invest in play spaces for children in their communities (KaBOOM!, 2017b, 2017c, 2017d). Through these initiatives, KaBOOM! motivates a US national discussion on the importance of play for children. Knowing that play is fundamental to children's development and health, KaBOOM! is innovatively changing the way we think about creating space and shaping the environments in disadvantaged neighbourhoods and communities. These playgrounds and play spaces promote physical exercise and create opportunities for children to have positive social interactions, two cornerstones essential for physical and mental health and long-term healthy life development.

### ***SDOH area: health and health care***

KaBOOM! promotes healthy living in children in the form of play by overtly promoting physical health – and with subtlety, mental health. Many CBOs and NGOs focus directly on providing health services to individuals and/or populations, but fewer international CBOs and NGOs centre around bettering the mental health of those living in low-income nations.

Sangath, an NGO based in Goa, India, was formed in 1996 to address a community need – to provide health-care services to those in the community with developmental disabilities or mental health problems (Sangath, 2017). Sangath, as with all CBOs and NGOs that are long-lasting, has grown over the years and changed with the times. Like many institutions, Sangath initially focused its efforts on clinical services, aligning with a medical model of thought. However, due to low follow-up rates, they adapted their approach to include a more holistic model that aligns with the SDOH framework in order to address the treatment gap. The treatment gap describes those living with developmental disabilities and mental illness that are unable to receive treatment or health care due to several social, economic, physical, and individual conditions and factors. Because of this, Sangath implements multidisciplinary interventions that include solutions that address the social, psychological, and medical barriers to care. Of utmost value to Sangath is its use of community health workers (CHWs) to provide health services to the community in need. Significant research globally has shown that there is a severe workforce capacity deficit in the mental health field, especially for low- and middle-income countries (LMICs) (WHO, 2017a, 2017b). Additionally, the World Health Organization (WHO) has declared that mental health problems account for the greatest burden of morbidity in the world (WHO, 2017a). Thus, Sangath addresses the mental health treatment gap and workforce capacity issues that plague low-income nations through implementing evidence-based interventions supported through research, and through cross-sector collaboration that promotes participatory methods in its work.

### ***SDOH area: social and community context***

The SDOH inherent to all organisations within the citizen sector is the social and community context. A key factor to the social and community context is civic participation. The citizen sector is named such for its makeup of and mission for citizens. Two examples of the citizen sector in the social and community context through the use of technology and globalism are Ushahidi and the International Campaign to Abolish Nuclear Weapons (ICAN).

Understanding the importance of the social and community context to solve health problems is well depicted through the NGO Ushahidi. Ushahidi is a technological organisation that was formed during political and civil unrest due to an election in Kenya in 2008 (Ushahidi, 2017). The founders of Ushahidi, which means “testimony” in Swahili, created a crowdsourcing tool to map citizen reports of violence. Since the initial application of Ushahidi’s crowdmapping, Ushahidi continues to advance this crowdmapping tool and the technological world to empower citizens and the citizen sector to anonymously report violence and abuse. Such data and communications provided to public officials fosters dialogue that is reflective of community needs. Because of the trauma inflicted from violence and abuse, Ushahidi is an example of providing a voice to those who are suffering from the adverse health effects of violence and abuse by providing a community and global platform for people to act and to be heard. In order to heal from trauma, it is first important to recognise the trauma. Ushahidi is leading the way in empowering citizens to speak up for their health and well-being.

One of the ultimate threats to health and public health is the global threat of nuclear proliferation with the devastation to humanity resulting from just one country’s use of its nuclear arsenal, coupled with the potential chain reaction from other countries that could result. The International Campaign to Abolish Nuclear Weapons (ICAN) is a coalition of non-governmental organisations in over 100 countries promoting adherence to and implementation of the United

Nations nuclear weapon ban treaty (ICAN, 2017). This global effort was inspired by the tremendous success of the International Campaign to Ban Landmines, which more than two decades ago played an instrumental role in the negotiation of the anti-personnel mine ban convention, or Ottawa Treaty. Since its founding, ICAN has worked to build a powerful global groundswell of public support for the abolition of nuclear weapons.

ICAN believes that discussions about nuclear weapons must focus not on narrow concepts of national security, but on the effects of these weapons on human beings globally – our health, our societies, and the environment on which we all depend for our lives and livelihoods. By engaging a diverse range of groups and working alongside NGOs such as the International Committee of the Red Cross (ICRC) as well as like-minded governments, it has helped reshape the debate on nuclear weapons and generate momentum towards elimination. ICAN was awarded the 2017 Nobel Peace Prize for its “work to draw attention to the catastrophic humanitarian consequences of any use of nuclear weapons” and for “ground-breaking efforts to achieve a treaty-based prohibition of such weapons” (Nobelprize.org, 2017). ICAN now has 468 partners in 101 countries (ICAN, 2017).

### **The way forward: cross-sector partnerships, problem solving, coordination, and cooperation**

While an NGO or CBO can accomplish much on its own, it can find itself limited in its reach, resources, impact, and sustainability. Given the increasing complexities of many of the health and public health issues in the world today, along with our increasingly better understanding of the factors and elements contributing to this complexity, health and public health-oriented NGOs/CBOs are forging new ways forward to overcome their limitations as well as to amplify their strengths and contributions. Networking and/or developing partnerships, within the citizen sector and external to it, is important where there is a need to build coalitions, exchange and share resources, create efficiencies, and avoid unnecessary duplication of services or other efforts. NGOs are seeking new and effective ways to maximise their impact by making use of the power and ideas of all those who can make a difference: governments, companies, the media, and NGOs.

This includes the need to increasingly develop and perpetuate cross-sector partnerships, problem solving, coordination, and cooperation to garner the involvement of all key stakeholders and to develop approaches that will have increased impact and sustainability (see Figure 21.2).

When considering health and public health issues from a within-sector, cross-sector, or mixed-sector philosophy and approach, it is important to consider who should be engaged and at the table. Typically, when addressing health and public health issues, stakeholders needed at the table include the following:

- The groups within the citizen sector that are established pertaining to the issue(s) at hand, and who are well connected and respected in their communities;
- The health professional community, including, but often extending beyond, decision makers from the hospitals, clinics, and experts from other health and public health-focused entities in the community;
- The members of the impacted community or communities themselves (this representation may come from the citizen sector groups, but it can also include individuals from the community who have knowledge or lived experience with the issue(s) of focus);



Figure 21.2 Cross-sector partnerships (Gaist and Chau, 2018)

- The research community, usually represented by academic institutions and/or research centres;
- The educators and other peer leaders from the community of focus;
- The business and/or industry communities;
- The non-health sector entities such as those in housing, planning, transportation, food and agriculture, and others;
- The policymakers, whether that be key politicians and/or their staff members; and
- The funders which may be government entities, foundations, or specific donors.

And depending on the issue and the need:

- The other stakeholders who may be less established, but who nonetheless may be able to inform, influence, and/or contribute to the discussions towards resolution and solutions; and
- The media.

The following are two case examples where such within-sector and cross-sector partnerships, problem solving, coordination, and cooperation is taking hold.



### ***Case example 1: Mennonite Central Committee addresses public health needs during the Syrian war***

*(Contributed by Dr Rolando L. Santiago, the head of Santiago Consulting and the Former Executive Director of the Mennonite Central Committee US)*

In a sunny, walled courtyard in Tyre, Lebanon, a boy of about 10 cups his hands in front of his face, imagining in them a little bird waiting to hear what he most misses about his home back in Syria. “All my toys,” he whispers in Arabic. Then, with a shy smile, he flings his arms wide, releasing the imaginary bird into the sky with a wish that the bird will fly over his old home and say hello to his toys.

*(Martens, 2017)*

So begins a story about Mennonite Central Committee’s (MCC’s) support of a trauma healing programme in southern Lebanon. MCC is a global, faith-based NGO that strives to share God’s love and compassion for all through relief, development, and peace (MCC, 2017a; Epp Weaver, 2016). It is grounded in nearly 500 years of history in the Anabaptist Christian peace-making tradition. In health care, MCC’s activities seek to improve the health and well-being of vulnerable populations (MCC, 2017b; Good, 2016).

In 2016, MCC’s trauma healing programme met the psychosocial needs of over 200 Palestinian refugee children aged 7 to 12, and their families, who had fled war-torn Syria. The programme was run by MCC’s partner in Lebanon, the Popular Aid for Relief and Development, an independent grassroots organisation (Martens, 2017). MCC’s support of public health efforts in the midst of the Syrian war is part of MCC’s largest humanitarian relief effort in its history. It raised \$34.6 million from March 2011 through March 2016 for this continuing effort (Espenshade, 2016). It’s practically impossible for MCC to address public health needs during a humanitarian crisis like the Syrian war without relying on partnerships with other civil society, religious, governmental, and academic institutions. The story that follows illustrates these partnerships.

Syrian refugees began to settle in the town of Yater in southern Lebanon soon after the Syrian civil war broke out in 2012. Yater’s system of pipes for delivering water to homes was severely damaged in the Lebanon–Israeli war of 2006. Neighbours created a makeshift system of water lines suspended from electrical poles, and powered by about 80 pumps. The system was dangerous and fragile. It required constant repairs after storms or heavy winds. It drew water from a single well. It also did not hold enough water for every household in town. The water had to be rationed and rotated among neighbourhoods. Water was less accessible with the arrival of the refugees, a recipe for conflict (Pierson Lester, 2017).

The Development for People and Nature Association (DPNA), a Lebanese independent NGO and MCC partner, sprang into action to prevent conflict (DPNA, 2017). It organised the community to build a system of underground pipes that provided consistent access to water. However, without connecting the new underground lines to the government-run water system, the community was unable to meet the water needs of the town population as it grew with the influx of refugees. To make it worse, the townspeople had not paid their water bills since 2006. DPNA took two years to mediate a solution with the Lebanese government. Rami Shamma, a DPNA staff member who had studied at the Summer Peacebuilding Institute of Eastern Mennonite University (EMU) in Harrisonburg, VA, helped mediate an agreement with the government.

Another public health project illustrates how MCC collaborates with other organisations to address health-related needs in the midst of the Syrian war. For the last six years, MCC partnered with the Forum for Development, Culture and Dialogue (FDCD) and the Canadian Foodgrains Bank (CFB) to feed about 6,000 families in the town of Deir Attieh in Syria (CFB, 2017; Enns and Enns, 2017; FDCD, 2017). The FDCD is an organisation based in Beirut that offers workshops, conferences, and dialogue sessions to enable society to approach conflict in a non-violent way. The CFB is a partnership of 15 church and church-based agencies that work together to end global hunger (CFB, 2017). The town of Deir Attieh doubled in size when people fled other parts of Syria such as Raqqa, Deir Ezzor, and Aleppo. The FDCD worked through smaller community-based organisations and an Islamic charity to distribute food to both Christian and Muslim residents (CFB, 2017; Enns and Enns, 2017).

**KEY MESSAGE** MCC's partners in health-related projects during the Syrian war are often determined by the nature of the health need, the expertise that the partner brings to meet this need, the effectiveness of the partner, the location where the partner functions, and foremost, the trust that the partner has established with the populations it serves and with other partners. The trust between MCC and its partners is often built over many years through a mutual commitment to non-violence, peacebuilding, and interfaith dialogue.

MCC's ability to identify and engage partners for both simple and complex public health projects grows out of historic partnerships with other Christian church networks such as the Syrian Orthodox Church, Fellowship of Middle East Evangelical Churches, Middle East Council of Churches, Greek Orthodox Patriarchate of Antioch and All the East, and Union of Armenian Evangelical Churches in the Near East (Loewen, 2016). MCC has cultivated these partnerships for a long time, especially since the late 1940s in response to the Palestinian refugee crisis in the Middle East (MCC, 2017c).

The MCC has realised and learned that engagement of a wide variety of partners in the religious, citizen public, academic, and private sectors is essential to addressing complex and intractable public health needs.

### ***Case example 2: Healthy Parks Healthy People US***

*(Contributed by Ms Diana Allen, Chief, Healthy Parks/Healthy People, US National Park Service, Office of Public Health/Health Promotion Branch)*

The citizen sector is often most innovative and productive when diverse partnerships are in play to meet a common goal among stakeholders. An example of this is the Healthy Parks Healthy People US programme, a US National Park Service (NPS) programme modelled from Parks Victoria, Australia and the Healthy Parks Healthy People global movement, which focus on health promotion through five principles: “forging new partnerships,” “providing access,” “enhancing and protecting,” “reaching diverse, multicultural audiences,” and “contributing to the advancement of science” (Healthy Parks Healthy People Central, 2017; NPS, 2017). Since its inception in 2011, the Healthy Parks Healthy People US programme has used national, state, and local parks as a driver to encourage active and healthy living among Americans. This has been accomplished through partnerships with the citizen sector, as well as the private, academic, and public sectors (i.e., leaders in business, health care, research, science, foundations, advocacy groups, etc.). These partners are important sources for funding and resources, and also for enthusiasm, inspiration, imagination, practical ideas, and collaboration. For example,

community health groups, medical care providers, and insurers working with Healthy Parks Healthy People US promote healthy lifestyles (i.e., healthy diet, physical activity, stress relief, and making environmental and social connections) through “forging new partnerships.” They also support changes to the built environment to promote healthy park visits and access to parks, provide “park prescriptions” (i.e., patient referrals to local parks and trails), support research, and provide internship and fellowship opportunities in parks.

One example of a promising practice initiated from Healthy Parks Healthy People US and developed through these new partnerships is Park Rx, a national park prescription initiative led by the National Recreation and Park Association (NRPA), the Institute at the Golden Gate, and the US NPS (Park Rx, 2016). Park Rx is an initiative that has physicians literally refer patients to parks as a prescription to improve their health, operating in tandem with citizen sector organisations like the NRPA and the Institute at the Golden Gate who organise park-centred health events. The Park Rx initiative continues to grow through these multidisciplinary partnerships often led by the citizen sector. For example, in 2011, there were two park prescription programmes in the national parks. That number has now grown to 16 in national parks, and 23 case studies in local, state, and national parks. Also, over 11,000 people celebrated Park Rx Day on 26 April 2017 during National Park Week. This involved more than 60 sites across the country, with events in 30 states, Washington DC, and Puerto Rico. Activities included guided walks and hikes, yoga, exercise classes, kayaking, and other family-friendly games, as well as health screenings and discussions (Allen, 2017).

Park Rx is just one initiative of the Healthy Parks Healthy People US programme that encourages innovation and experimentation through the power of partnerships. The Healthy Parks Healthy People US programme has led to a burgeoning movement, with a vast array of promising practices established with support from partners and interest groups all across the country. Collectively, these partnerships are bringing together legions of people, from all walks of life, to enjoy their parks as places to have fun and derive health benefits. Integral to the success of this programme are the partnerships with the citizen sector as well as health-care providers, insurance companies, university medical schools, and government agencies.

Additional projects and programmes that align with Healthy Parks Healthy People US’s remaining four principles and that have been identified for national expansion in collaboration with partners include the following:

- “Enhancing and protecting” – Volunteerism vacations that engage families and community groups in meaningful projects in parks, offering them both healthy outdoor activities and a sense of pride in helping to improve the park experience for themselves and others.
- “Providing access,” “Reaching diverse, multicultural audiences,” and “Contributing to the advancement of science” – Citizen science projects about the outdoors and parks that engage students from low-income Hispano/Latino families and that culminate with a field trip for these students and their families to a nearby national park.
- “Enhancing and protecting” and “Reaching diverse, multicultural audiences” – Team-based volunteer days that deepen the connection of NPS employees to their local communities.

In the coming years, further traction and momentum for park-based programming are being encouraged that emphasise working with local communities or national partnerships, and establishing programmes by, for, and with diverse populations to ensure that parks and public lands realise their full potential as a health resource; and that the co-benefits of conserving biodiversity and promoting human health are well recognised and communicated. The citizen sector through its CBOs and others from the community involved in this sphere will continue to be integral to its success.

### ***Other partnership examples***

Aligned with the Healthy People Healthy Parks US philosophy and consistent with the cross-sector approach is the International Union for Conservation of Nature (IUCN). IUCN is a non-profit membership Union composed of both government and civil society organisations (IUCN, 2018). It provides public, private, and NGOs with the knowledge and tools that enable human progress, economic development, and nature conservation to take place together. It provides a neutral forum in which governments, NGOs, scientists, businesses, local communities, indigenous peoples groups, faith-based organisations, and others can work together to forge and implement solutions to environmental challenges, including environmental health challenges. Its ability to convene diverse stakeholders and provide the latest science, objective recommendations, and on-the-ground expertise drives IUCN's mission of informing and empowering conservation efforts worldwide. Currently, over 1,100 registered NGOs are members and partners of the IUCN network (IUCN, 2018).

These are just a few examples of the way forward, namely embracing a cross-sector philosophy and approach that promotes the coming together of stakeholders, cutting across health and public issues, forming new and productive partnerships, and working collectively with all skill sets and perspectives brought together to solve problems, leverage resources, and implement sustainable solutions.

To briefly cite but a handful more who are embracing this philosophy, using tools and approaches that are proving valuable in the pursuit of better health in their communities:

- 1) Better strategic partnering of clinical medicine and public health: The West Virginia University Health Center, led by Dr Clay Marsh, Vice President and Executive Dean for Health Sciences, is bringing the citizen, business, academic, and government sectors together to better address the opioid epidemic that has taken hold in their West Virginia communities. By meshing and partnering the clinical medicine sphere with the public health and multi-sectoral partners and perspectives, they are creating more holistic and coordinated community and client-centred programmes and approaches (West Virginia University Health Sciences, 2018);
- 2) Teaching organizations to partner and collaborate: The Institute for Public Health Innovations (IPHI; Washington, DC), led by Mr Michael Rhein, President and CEO, is not only embracing the way forward; its purpose is to serve as the convener for others and to show them how to successfully use this approach to improve health and public health in their communities. IPHI is a non-profit resource that works across sectors to build partnerships and cultivate innovative solutions to improve health and well-being for people and communities. Many CBOs and coalitions are effective because they have trust-based relationships with specific populations and communities, or they have expertise in specific health areas. IPHI is helping community partners leverage those strengths while offering a broad set of capabilities and relationships that enables work across sectors towards more comprehensive, collaborative, and cost-effective public health approaches (IPHI, 2018);
- 3) Bringing diverse interests to the table: The National Forum on Heart Disease and Stroke Prevention, led by Mr Jon Clymer, Executive Director, is bringing coordinated care to heart attack, stroke, and other heart disease-affected individuals. As just one of its many projects, in California the Forum has brought cross-sector partners to the table to develop a seamless, coordinated system of services and care for cardiac patients, and through its successful implementation is achieving community-level gains in heart health outcomes (National Forum on Heart Disease and Stroke Prevention, 2018); and

- 4) Utilizing strategic financial and program planning for growth, resiliency, and sustainability: Banyan Global, led by Ms Meghan Smith, President and CEO, is adapting business and finance skills to working with the public, private, and not-for-profit sectors to achieve positive health outcomes in low- and middle-income countries (Banyan Global, 2018).

## In summary

As stated in the book *Igniting the Power of Community: The Role of CBOs and NGOs in Global Public Health*, “the key to a good life is good health” (Gaist, 2009). The organisations within the citizen sector are the sentries, the guardians, the “bell-ringers,” and often the first (and sometimes the only) responders to the health plights of individuals in their communities and to the public health threats and opportunities at the community level and beyond. A myriad of organisations in the citizen sector are recognising that the pathways to good health and public health are made clearer through holistic views and approaches, where multiple levels, systems, and factors (the social determinants of health or SDOH) are recognised, accounted for, and/or addressed.

And as this is happening, more needs to be done. The work of improving models and approaches, skills and techniques, partnership, stewardship, reach, and impact is never complete. As the world changes, as challenges emerge, and as the roles and opportunities of the citizen sector take hold and potentiate, so does the need to continually study the sector, to conduct sector and organisation-focused evaluations and research. Management and partnership skills need to be learned, improved, and appropriately applied. And the philosophy of health and public health in all endeavours needs to be continually integrated and operationalised.

When it comes to the health and public health of our communities, of our world, there cannot be complacency; there must be action fuelled by the citizen sector and achieved through within-sector and cross-sector partnerships, problem solving, coordination, and cooperation. And when such partnerships with other stakeholders and actors just do not seem to garner the attention and support needed to raise the visibility and/or to address the health and public issue at hand, then the citizen sector will rely on strategic activism and radical action that awakens, employs, and empowers the biggest resource there is – our communities, ourselves.

## Note

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*Disclaimer:* The views expressed in this chapter are those of the authors. No official endorsement by the US Department of Health and Human Services, the Substance Abuse and Mental Health Services Administration, the National Institutes of Health, or the US National Park Service is intended or should be inferred.

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## NGOs and peace

*Margarita H. Petrova*

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There are various definitions of peace, and respectively, NGO activities that would fall within a broad framework of peace-seeking – from nonviolent resistance of war and refusal to use force, efforts at ending or making war less probable, and curbing armaments, to building up the legal and institutional frameworks that would outlaw war and provide conflict resolution mechanisms, to an encompassing view of positive peace that ensures people live with dignity in a just society (Cortright 2008: 6–8). This chapter looks narrowly at NGO antiwar and disarmament efforts and focuses on the post-WWII period, although peace and disarmament NGOs have a long history going back to the 19th century and a sizable literature thereof exists (Cooper 1991; Charnovitz 1997; Lynch 1999; Laity 2002; Davies 2007, 2014; Pugh 2012). It examines the effects of NGO activities in relation to the domestic and international political opportunity structures in which they unfold. Effectiveness is evaluated by the extent to which NGOs achieve their proclaimed goals. These include concrete policy changes, but also more broadly changing societal attitudes by educating the public, reframing issues, influencing public opinion, and generating media attention.<sup>1</sup>

I argue that the end of the Cold War was a watershed moment that opened new opportunities for NGO mobilization at the international level and transnationalization of their networks. NGO strategies moved away from largescale protest and grassroots mobilization toward elite-level lobbying and norm advocacy. Finally, whereas during the Cold War norm development in the disarmament field depended on superpower negotiation, from the 1990s there has been a trend toward establishing legal norms banning conventional and nuclear weapons without the great powers, yet aiming at binding the latter to the international norms created by the treaties.

### **1945–1960s: elite lobbying and the rise of antinuclear NGOs**

The first antinuclear efforts aimed at preventing the use of nuclear bombs against Japan and the eventual dismantling of existing weapons and vesting authority for nuclear energy in an international agency. They started with the Frank Report and a petition against the use of the bombs by some of the scientists working on the Manhattan Project in the two months prior to the atomic bombings. In 1945, they led to the establishment of the Federation of American Scientists and the Bulletin of the Atomic Scientists. As information about the effects of the

Hiroshima and Nagasaki bombings trickled in, fear of the new weapons spread among the public and gave a boost to the scientists' advocacy. Eventually it influenced American policy with the Acheson-Lilienthal plan for the destruction of atomic weapons, the creation of a system to monitor that no weapons are developed, and an Atomic Development Authority to control fissile material for peaceful purposes. However, the hardening of the American position in the Baruch plan (envisioning destruction of US weapons only after international controls had been established and no UN Security Council veto on enforcement procedures) and Soviet rejection thereof doomed the scientists' attempt to establish international controls on nuclear energy (Wittner 1993: 59–64). Where their efforts bore some fruit was in educating the public and spurring aversion to nuclear weapons that constrained the US from using them in the Korean War (Tannenwald 2007; Wittner 2009: 32–34). However, the window of opportunity to curb an impending arms race closed with the escalation of the Cold War, which legitimated the pursuit of nuclear weapons for national security purposes and made the work of activists in the early 1950s difficult amid accusations of their having communist links (Wittner 2009: 49–50).

In the mid-1950s, the political opportunities for the scientists' movement improved after the death of Stalin and the end of McCarthyism in the US (Tannenwald 2007: 158; Evangelista 1999: 25). Antinuclear sentiment was reinvigorated with the testing of hydrogen bombs, especially after radiation fallout over the Marshall Islands and a Japanese fishing boat in 1954. In 1955, Bertrand Russell issued a manifesto for the abolition of nuclear weapons and peaceful resolution of all conflicts endorsed by Einstein and other prominent scientists that catalyzed renewed scientist activism (Evangelista 1999: 31). In 1957, the first Pugwash conference on science and world affairs among scientists from the West, East, and nonaligned countries was organized. One of the signatories of the Russell-Einstein manifesto and 1954 Nobel laureate in chemistry, Linus Pauling, also launched a scientist petition to end nuclear testing. In the US, one of the main antinuclear organizations, the National Committee for a Sane Nuclear Policy (SANE), was set up by prominent figures calling for the suspension of nuclear testing. Physicians for Social Responsibility, Council for a Livable World, and Women Strike for Peace were created in the next few years to work for a test ban. In 1957 in the UK, a National Council for the Abolition of Nuclear Weapon Tests was established and grew into the Campaign for Nuclear Disarmament (CND). Both SANE and CND became large organizations with numerous local chapters in the US and UK, respectively. In the UK, grassroots mobilization underpinned the annual Easter marches between London and Aldermaston (the site of the Atomic Weapons Research Establishment some 50 miles away) that gathered tens of thousands of people between 1958 and 1963 (Wittner 1997: 47–51; Meyer 1990: 140–141). In the US, advocacy remained targeted mostly at the elite level and aimed at creating media and public attention. To that end, SANE involved Albert Schweitzer, philosopher, missionary, and receiver of the 1952 Nobel Peace Prize, in the cause of stopping nuclear testing. Engaged in more contentious activities, Women Strike for Peace held demonstrations and Non-Violent Action against Nuclear Weapons organized numerous direct actions against test sites in the US and the Pacific Ocean that gained media publicity, but had limited public support (Wittner 1997: 30–33, 54–57).

Ultimately, NGO mobilization contributed to the adoption of the 1963 Partial Test Ban Treaty (PTBT), although pressure from nonaligned countries and great power interests pushed in the same direction. Apart from stoking public apprehension about and opposition to nuclear testing, NGOs directly facilitated the negotiations of the treaty with SANE's founder, Norman Cousins, acting as an intermediary between Kennedy and Khrushchev when the negotiations stalled (Wittner 2009: 109–110). More broadly, NGOs in that period shifted the discourse on nuclear weapons from national defense toward consideration of their radioactive, health, and environmental effects. They also elevated the public salience of the issue and made governments

consider the impact of their national decisions on world public opinion, thus circumscribing their freedom to use nuclear weapons (Tannenwald 2007: 161–162).

Overall, during this period well-known scientists and public figures were key in the anti-nuclear movement. Individuals played important roles in American and British NGOs, as well as in establishing transnational relations between American and Soviet scientists and prominent citizens (Evangelista 1999: 32–35). The social status of the leaders of the main NGOs facilitated their access to policymakers and influenced their choice of tactics (Tannenwald 2007: 160). Thus the story of the movement in its early post-WWII years is to a large extent about the dedicated efforts of prominent persons, especially scientists, in raising public awareness and curbing the dangers of nuclear weapons. The award of the 1962 Nobel Peace Prize to Pauling in 1963 upon the PTBT coming into effect speaks to that.

However, with the PTBT and the Nonproliferation Treaty following in 1968 – steps to limit the fallout and spread of nuclear weapons that allayed public concerns – the antinuclear movement lost steam and was largely overtaken by the institutionalization of arms control in the US and the Soviet Union, leading to the Strategic Arms Limitations Talks and the 1972 ABM treaty. The proponents of arms control formed an epistemic community of scientists concentrated in RAND, MIT, and Harvard in the US that spread transnationally through the Pugwash conferences (Adler 1992; Evangelista 1999: 165, 193–233; Meyer 1990: 66–67). Arms control came to occupy the middle ground between disarmament proponents who could see it as “a first step toward disarmament” and conservatives clamoring for more weapons (Adler 1992: 125). It became key in stabilizing superpower relations and avoiding nuclear war, without, however, challenging the status quo. In the same period, public interest got absorbed by the Vietnam War.

### **The anti-Vietnam War movement: between respectability and radical politics**

The Vietnam War engendered widespread and diverse opposition, which has been studied by historians,<sup>2</sup> much less so by social movement scholars and political scientists (McAdam and Su 2002: 696–697), and has received close to nil attention in IR. The study of NGOs and transnational activism in IR started in earnest later, in the early 1990s, focusing mostly on the transnational dimension of the phenomenon or comparative case studies in different countries from this more recent period (Risse-Kappen 1991, 1995; Keck and Sikkink 1998). Despite its mostly domestic, US focus,<sup>3</sup> the Vietnam antiwar movement was one of the most massive mobilizations of antiwar sentiment driven by different NGOs. The movement had several strands – the “new left” comprising student groups, the “old left” associated with the Trotskyist Socialist Workers Party, and liberal organizations including Americans for Democratic Action and antinuclear groups, such as SANE and the American Friends Service Committee (AFSC) (Cortright 2008: 157). Their tactics differed widely – from the student protests organized by Student Peace Union and Students for a Democratic Society, to mass demonstrations of the “old left”, to the liberal wing’s lobbying Congress and working through party structures, especially by challenging President Johnson in the presidential primaries of the Democratic Party in 1968 (Cortright 2008: 157–160; Chatfield 2004: 491–492; Katz 1983).

After President Nixon came to power with plans for escalating military operations, the opportunities for working through existing institutional channels narrowed and the contentious, protest actions of the peace movement grew (Katz 1983). In the fall of 1969, the liberal part of the movement organized the Vietnam moratorium movement to interrupt work and a march in Washington D.C., seen as “the largest mass volunteer actions in American history” (quote in Cortright 2008: 161). The number of people avoiding the draft also kept increasing. War

opposition spread among war veterans and active-duty servicemen, with the Vietnam Veterans Against the War, set up in 1967. Growing numbers of veterans joined rallies and organized their own actions, such as public soldiers' testimonies of atrocities committed in Vietnam, lobbying, and protests. The veterans' involvement provided legitimation to the antiwar movement (Cortright 2008: 165–166), while draft resistance, desertion, and even lethal assaults on officers by subordinate troops undermined the US warfighting capacity from within.<sup>4</sup>

It is difficult to say which organizations and strategies exerted most pressure on policymaking toward negotiations and ending the war. Taking protests as a proxy for movement strength misses other contributions, especially by its liberal wing that toward 1969 saw protests as ineffective and shifted toward grassroots mobilization and influencing congressional elections (Katz 1983; Lefkowitz 2005). Indeed, Mueller (1973: 24) conjectured that “the war might have been somewhat less popular, had the protest not existed.” Similarly, Chatfield (2004) argued that radical protesters could be easily dismissed by the Johnson and Nixon administrations as fringe elements and even accused of promoting Soviet interests. In contrast, liberal organizations that garnered support among members of the Democratic Party and congressmen presented a more formidable force. Katz (1983) also highlighted the respectable politics of the liberal movement that sought to attract middle-class support, but found it had little impact on policy. McAdam and Su (2002) show the contradictory and limited policy effects of the movement, which tried to combine disruptive politics to generate media and public attention and at the same time appear committed to democratic politics. Liberal organizations influenced the Democratic Party, but also split it, because the movement remained an elite, intellectual endeavor alienated from the working class that made up part of the party's constituency (Walzer 1973). In contrast, for Cortright (2008: 159) each part of the movement contributed to the eventual withdrawal of US forces from Vietnam. Outsider pressure had to be mobilized together with insider lobbying to make a difference on a foreign policy issue over which the military-industrial complex held sway. The movement affected concrete decisions, such as instituting the draft lottery and limiting congressional funding for the war. Arguably, Nixon's position on the war gradually softened over his terms in office and ultimately the antiwar organizations' position in favor of immediate withdrawal of US troops was closer to the outcome of peace negotiations than Nixon's preconditions (Lefkowitz 2005: 19–21).

Despite the uncertain or gloomy evaluations of concrete movement outcomes, its enduring effect was in shaping future US policies and military thinking. In Walzer's words (1973: 26), it “made the waging of the war morally costly . . . [and] began . . . the long process of setting limits to what governments can do and to what men must bear.” Years later this resulted in the 1984 Weinberger (also Powell) doctrine requiring that troops be sent to war only as a last resort, backed by public and congressional support. Although American intervention in Central America and proxy wars did not end,<sup>5</sup> costly wars of choice were largely avoided till the 2003 Iraq war.

## **1970–1989: weapons politics under Cold War constraints**

### ***International Humanitarian Law and conventional weapons***

The Vietnam War also spurred major developments in international humanitarian law (IHL) and led to some weapons restrictions. The link of these developments to the antiwar movement was indirect – mainly through the visibility of napalm use, raised by some organizations, including the International War Crimes Tribunal initiated by Bertrand Russell in the UK (SIPRI 1978), and the media. The issue attracted significant attention at the UN General Assembly

and eventually made its way, together with fragmentation weapons, small caliber projectiles, and landmines, onto the agenda of the diplomatic conferences on the Additional Protocols to the Geneva Conventions, before being considered in a separate forum that resulted in the 1980 Convention on Certain Conventional Weapons (CCW). Some American NGOs, such as the AFSC, undertook action against fragmentation weapons and organized protests at manufacturer sites. However, these efforts remained local and only a small part of the larger antiwar movement without undertaking a weapon-specific campaign (Prokosch 1995). Napalm use received much wider attention and for many became a symbol of the atrocities perpetrated in Vietnam and a rallying cry for the peace movement (Neer 2013: 152–153).

In the diplomatic arena, the organizations working for weapon restrictions from a humanitarian perspective were mainly the ICRC and SIPRI, urged along by a number of nonaligned states led by Sweden. Early attempts by the ICRC in the 1950s to restrict the use of “uncontrollable,” including nuclear, weapons within an IHL framework were unsuccessful, because of opposition by the nuclear powers (Kalshoven 1971). During the Cold War the consent of the great powers remained a necessary and limiting element of any agreements toward restricting conventional weapons, while NGO input was confined to expert legal views at the diplomatic level. Nevertheless, the adoption of the 1977 Additional Protocols and the 1980 CCW strengthened the humanitarian principle of civilian protection and laid the basis for NGO advocacy on prohibiting indiscriminate weapons in the 1990s (Cottrell 2009).

### ***Nuclear disarmament***

During this period, different types of NGOs worked for nuclear disarmament employing different strategies. The Federation of American Scientists (FAS) and the Pugwash movement carried out scientific research, dissemination, and advocacy. Physicians for Social Responsibility and International Physicians for the Prevention of Nuclear War (IPPNW) educated the public in talks highlighting the health effects of nuclear weapons and catastrophic consequences of their use. Religious groups such as AFSC focused on lobbying activities in Washington, while the Ploughshares movement engaged in civil disobedience and symbolic acts of witnessing against arms manufacturers and nuclear bases. Greenpeace was founded in 1971 and its attention-grabbing actions, such as trespassing and sailing ships into testing areas, generated significant media coverage. The Greenham Common women’s protest camp in the UK provided a catalyst for similar camps by women’s groups across Europe and the US. However, the most focused effort of the period was the US Nuclear Weapons Freeze campaign (NWFC) advocating a bilateral freeze on the testing, production, and deployment of nuclear weapons by the US and the Soviet Union. In Europe, mass antinuclear movements emerged in response to NATO’s plans to deploy intermediate-range nuclear forces (INF) in five NATO countries (Wittner 2003).

Reagan’s presidency both narrowed the institutional channels open to peace organizations and, by its bellicose rhetoric and actions intensifying the arms race, created conditions for mobilization of the peace movement. NWFC grew quickly. Successfully inserting a freeze resolution on the ballot in local and congressional elections, by 1982 it had become “the largest electoral mobilization for peace in US history” and organized a large peace protest drawing about a million people (Cortright 2008: 145). Yet, the popularity of the movement did not result in goal achievement. After politicians picked up the issue, NWFC focused on lobbying congressmen. As a result, Congress passed a watered-down version of the freeze resolution and NWFC continued down the path of routine politics by throwing its weight behind the 1984 Democratic Party presidential candidate who endorsed the freeze. After his defeat, NWFC dissipated, while Washington-based groups reoriented their lobbying toward distinct

weapons systems or a comprehensive test ban. Thus, the American fragmented domestic political structure curbed NWFC's ability to reach its policy objective. It offered multiple points of access to divergent societal interests, but prevented anyone from gaining the upper hand. Under Reagan's administration, NWFC had difficulty competing with military-industrial interests promoted by conservative appointees. Navigating between opposing political interests in Congress diluted the campaign message, while the movement itself became coopted in institutionalized politics (Meyer 1990).

In contrast to NWFC that aimed at the political mainstream by demanding a bilateral, US and Soviet, freeze, the European campaigns focused on preventing NATO's INF deployment and saw unilateral disarmament by European countries as a first step in disentangling Western and Eastern Europe from their dependence on the superpowers. It also sought to link disarmament to human rights promotion and connected with civil society groups in Eastern Europe (Kaldor 1982: 780–781).

The chances of NGOs translating mobilization into policy impact depended in large part on the domestic political structures they faced. In the US, the fragmented structure hampered direct policy impact, but NWFC nevertheless left its mark by pushing the Reagan administration toward engaging in arms control through public opinion and Congress (Meyer 1990). In Germany, working within a corporatist domestic structure, disarmament organizations managed to embed their ideas in new and traditional political actors, such as the Green Party and the Social Democratic Party. Working through a consensus-oriented political process, the movement reoriented German foreign policy against nuclear modernization of NATO forces in Europe and toward a general conciliatory policy vis-à-vis the Soviet Union (Risse-Kappen 1991; Meyer 1999). In other corporatist domestic structures, such as the Netherlands and Denmark, where multiparty systems and proportional representation provided access, the peace movements affected government policy by slowing down missile deployment (Cortright and Pagnucco 1997: 165–168).

Although there was a degree of coordination between organizations in the US and Europe and cooperation between Western and Eastern activists, NGO campaigns remained largely focused on their domestic settings. The European protests against NATO's INF deployments exerted pressure on US foreign policy via alliance politics (Knopf 1993), but there was little synergy between the American and Western European campaigns (Cortright and Pagnucco 1997).

Where transnationalism mattered was in establishing connections between Western and Eastern scientists in the Pugwash conferences and later among physicians in IPPNW. These connections led to the antinuclear movement's most important policy impact when Gorbachev came to power in the Soviet Union and relied on the transnational movement of scientists and physicians for his new thinking ideas, including on nuclear arms control and overall defense postures. Then the Soviet state-controlled domestic structure allowed Gorbachev to implement those ideas from the top. Thus, the most important, albeit indirect, effect of disarmament NGOs was in peacefully ending the Cold War (Evangelista 1999).<sup>6</sup>

## **After the Cold War: norm-building without the great powers**

The 1990s represented a golden era for NGOs with their numbers rapidly increasing as new opportunities for NGO action opened, funding sources increased, and a norm favoring the engagement of NGOs in democracy promotion and development assistance got established (Reimann 2006). Political opportunities for NGOs also increased in terms of access to domestic and especially international institutions (Tarrow 2001). NGO participation in UN conferences and negotiation processes improved, partly as a result of NGO efforts themselves. Globalization



and technological developments, such as the Internet and email, also catalyzed NGO activities, reach, and coalition-making (Davies 2014: 124; Nye 2011). Finally, the end of the Cold War relaxed the constraints on independent policy pursuits by middle-sized Western states, creating the conditions for partnership with NGOs and norm-making without the great powers.

In addition to these general trends, IR work focused on the interconnection between international and domestic political opportunities for NGO advocacy. In their “boomerang model,” Keck and Sikkink (1998) highlighted how local NGOs, faced with blockages in their domestic structure, link with international NGOs to mobilize international pressure from above against their unresponsive governments. Risse, Ropp, and Sikkink (1999) explored further the mechanisms through which NGOs reshape domestic political opportunities in an interactive “spiral model” of international norm diffusion. Moving beyond external constraints and opportunities, scholars have studied the impact of NGOs’ internal structure and position in larger advocacy networks on issue emergence and campaign success. Wong (2012) emphasized the role of centralized decision-making (and decentralized implementation) for the success of NGOs working on human rights and weapons issues. Carpenter (2011, 2014) argued that “gatekeeper” NGOs (connected to many nodes or linking isolated nodes in a network) push normative change in the weapons field more successfully than large grassroots campaigns. Others have focused on the NGOs’ use of different discursive mechanisms, such as persuasion (Deitelhoff 2009; Price 1998a) or rhetorical entrapment and positive enticement (Petrova 2016, 2019), in influencing international negotiations and state positions on issues such as the ICC, landmines, and cluster munitions.

### ***(II) legality of nuclear weapons?***

The end of East–West antagonism and reductions in nuclear weapons and military budgets appeared to offer the ultimate peace dividend. Fears of nuclear war receded and no longer animated disarmament activism. The Conference on Disarmament became deadlocked and the 1995 Review Conference of the Nonproliferation Treaty (NPT) indefinitely extended the treaty in exchange for a pledge by the nuclear-weapon states to reduce nuclear weapons. From the social movements of the 1980s, disarmament refocused toward institutionalized, elite-level approaches and sought to push the nuclear powers toward disarmament indirectly by working with interested states and strengthening legal and social norms against nuclear weapons (Tannenwald 2007: 349).

The major initiative in the 1990s was the World Court Project, pursued by the International Peace Bureau, IPPNW, and the International Association of Lawyers Against Nuclear Arms (IALANA). Those organizations worked with nonaligned states, and against opposition by the US and other nuclear powers, to secure resolutions by the World Health Organization and the UN General Assembly asking the International Court of Justice (ICJ) for an advisory opinion on the legality of using nuclear weapons. The campaign mainly lobbied government officials. However, it also gathered about four million citizens’ “Declarations of Conscience” to use as evidence of “the dictates of public conscience” that should be considered in evaluating the legality of means of warfare according to the Martens Clause in IHL and brought survivors of the nuclear bombings and tests to testify to the court (Dewes and Green 1999: 69–70; Tannenwald 2007: 353–354).

Although the ICJ Advisory Opinion left the possibility that nuclear weapons be used in ultimate self-defense, it added to their delegitimization (Tannenwald 2007) and gave a boost to NGOs. Activists engaging in direct action against military installations successfully used the Opinion for their legal defense. The Abolition 2000 NGO network was launched with the

goal of securing a nuclear weapons convention by 2000, while in 1998, the IPPNW, IALANA, IPB, and WILPF, among other NGOs, established the Middle Powers Initiative to work with middle-power governments to put pressure on nuclear-weapons states to eliminate nuclear weapons (Dewes and Green 1999: 74–75). Following the ICJ Opinion and the conclusion of the Comprehensive Test Ban Treaty in 1996, most NGOs focused their advocacy within the NPT forum and on government lobbying. Thus the initiatives of the 1990s became institutionalized at the international level and the movement for a nuclear weapons convention went on, but largely lost steam in the next 10 years when the US and Russia bilaterally or unilaterally reduced their nuclear weapons, without, however, considering their elimination. Public opinion remained supportive of a nuclear-free world, but nuclear disarmament provoked little interest (Wittner 2009: 217).

### ***Humanitarian disarmament: to conventional and back to nuclear weapons***

At the advocacy level, interest shifted from weapons of mass destruction to conventional weapons, killing and mutilating people in conflict and post-conflict situations. In the late 1980s, antipersonnel landmines drew attention as UN agencies and relief organizations moved to assist populations in the wake of conflicts in Cambodia, Mozambique, and Angola (Cameron et al. 1998; Hubert 2000; Rutherford 2011). Among the first organizations to run into the landmine problem were the International Committee of the Red Cross (ICRC), the Vietnam Veterans of America Foundation, Handicap International, and demining organizations, such as Mines Advisory Group. Human Rights Watch (HRW) also became aware of the issue in its work in Central America and Asia.

NGOs focused on the humanitarian impact of the weapons on civilians and, using the IHL principles of distinction and proportionality, argued that their humanitarian costs far outweighed their military utility (Price 1998a; Rutherford 2000; Petrova 2018). This discursive shift toward humanitarian disarmament underpinned NGO efforts for weapon prohibitions in the 1990s and 2000s.

Whereas in the past, the ICRC was the main organization promoting weapon regulations on humanitarian grounds (Mathur 2017), in the late 1980s and early 1990s, HRW branched into IHL-related work in Central America (Neier 2012). And with the success of the landmine campaign, new organizations became important players in humanitarian disarmament, including the International Campaign to Ban Landmines (ICBL), Mine Action Canada, Landmine Action UK, and Handicap International. Organizations traditionally involved in peace and disarmament, such as WILPF and Pax Christi, became active on the new issues of banning landmines and later cluster munitions, or the creation of the ICC. Service provision organizations, such as Oxfam and Save the Children, also engaged in advocacy to ban landmines and cluster munitions.<sup>7</sup>

A couple of trends related to the NGOs' international political opportunity structure emerged. First, NGOs moved toward international-level campaigning and lobbying policymakers at the expense of grassroots mobilization and disruptive tactics. For example, the landmine campaign had a grassroots component and enjoyed public support, but compared to prior disarmament campaigns, it concentrated more on the elite level. The same aspect was even more pronounced in the campaign against cluster munitions. This reflected an understanding that well-placed political allies were key to NGO success rather than mass mobilization (Nash 2012: 134–135). The IR focus on NGO advocacy networks instead of social movements captures that distinction between routine and contentious politics (Tarrow 2001: 11–12), with the former becoming predominant in the post-Cold War disarmament field.

The landmine campaign brought about talk of “new diplomacy,” characterized by partnerships between NGOs and likeminded middle-sized states, reshaping international politics (McRae and Hubert 2001; Cooper, English, and Thakur 2002; Rutherford, Brem, and Matthew 2003).

According to activists, “such a partnership [wa]s a new kind of ‘superpower’”<sup>8</sup> and the Nobel committee awarded the ICBL and its coordinator Jody Williams the 1997 Nobel Peace Prize, praising the landmine process as “a model for similar processes in the future.”<sup>9</sup> Indeed, in the following years, this kind of partnership advanced a host of initiatives in the broad field of human security, including the ICC statute, the 2000 Optional Protocol on child soldiers, the Kimberley Protocol on conflict diamonds, and the cluster munition ban (Krause 2008; Brem and Stiles 2009; Garcia 2011).

Second, past disarmament campaigns focused on the two superpowers. The latter’s actions were ultimately indispensable for disarmament. In the post-Cold War period, NGO advocacy took a roundabout route. In the face of resistance to stronger international norms by the big military powers, NGOs chose to forge ahead with developing new norms (Brem and Stiles 2009) in the expectation that, once established, they would gradually bind the big powers. Codification of new legal norms was coupled with efforts to stigmatize behavior that did not comply with them. This strategy allowed fast normative development, but also raised criticisms that the new norms were largely irrelevant – binding only for countries that never go to war. As in the preceding cases, it can be said that NGO campaigns failed to produce immediate policy effects where it mattered most (Davies 2014: 160–161). Moreover, according to critics, banning indiscriminate, low-tech weapons has indirectly legitimized high-tech Western militarism and limited the scope of disarmament (Beier 2011; Cooper 2011). However, the NGO strategy succeeded in stigmatizing the use of landmines (Price 1998b, 2004; Bower 2015, 2017), and more recently, cluster munitions (Petrova 2018). In both cases, the weapons have become controversial, their use has been widely condemned, and the US has been in de facto compliance with most treaty provisions.

Finally, the success of the above campaigns depended on depoliticizing the issues and NGO distancing from the total disarmament and peace agenda (Carpenter 2014; Nash 2012). Yet, the less ambitious path of banning concrete weapons, such as landmines and cluster munitions, ultimately offered a template for stigmatizing nuclear weapons as well. Whereas engaging the great powers for decades had only led to limited weapons reductions, prohibiting nuclear weapons without the participation of nuclear-weapons states became a bold step toward eliminating their menace. On the template of the landmine campaign, a new organization, the International Campaign to Abolish Nuclear Weapons (ICAN), was launched by IPPNW, Australia in 2007 with the idea to set a worldwide network of organizations to work for a treaty banning nuclear weapons. It incorporated NGOs traditionally focused on nuclear disarmament, such as CND in the UK and WILPF, and later others, such as Pax Christi, the Nobel Women’s Initiative set up by Jody Williams, and Article 36, related to the landmine and cluster munition campaigns, that proved pivotal in reorienting the campaign from a nuclear weapons convention including the nuclear powers toward a treaty without them.

ICAN emerged at a time when political opportunities for nuclear disarmament seemed to open up. In 2007, former secretaries of state George Shultz and Henry Kissinger, former defense secretary William Perry, and Senator Sam Nunn published a letter urging the US to work for the elimination of nuclear weapons (Lewis 2017). President Obama pledged to work for a nuclear-free world during and after his presidential campaign. In 2008, the UN Secretary General called upon nuclear-weapons states to “undertake negotiations on effective measures leading to nuclear disarmament.”<sup>10</sup> In 2009, President Obama was awarded the Nobel Peace Prize in the expectation that bold deeds would follow his words. In 2010, the ICRC President also called for an international treaty prohibiting nuclear weapons. The 2010 NPT Review conference focused the energies of NGOs and governments looking for action toward nuclear disarmament. However, the conference closed without a meaningful disarmament breakthrough, with the START treaty negotiated earlier between the US and Russia remaining the only significant step forward.

This lack of progress redirected NGO and government energies from 2013 on toward a new process focused on the humanitarian consequences of incidental or purposeful use of nuclear weapons, pushed along by Austria, Mexico, South Africa, and initially Norway (Borrie 2014). In December 2014, it culminated in a pledge by the Austrian government calling upon states to “fill the legal gap for the prohibition and elimination of nuclear weapons.”<sup>11</sup> In 2016, a UN General Assembly resolution recommended negotiations for a nuclear ban treaty, which was eventually adopted in July 2017 with the votes of 122 states. ICAN served as the NGO partner pushing the issue forward, relying on testimonies by survivors of Hiroshima and Nagasaki and nuclear testing and direct lobbying of government officials, eschewing mass protests and outsider strategies. For its efforts, it received the 2017 Nobel Peace Prize.

The practical effects of the new treaty are still to be seen, as not only nuclear-weapons states, but all NATO countries and those relying on a “nuclear umbrella” opposed it. It has also raised concerns about polarizing further relations between non-nuclear-weapons states and nuclear-weapons states and weakening the NPT regime (Müller 2017). However, the treaty fits in the larger trajectory of delegitimizing (nuclear) weapons through the creation of legal and normative stigma (Tannenwald 2007) and has already contributed to changing the discourse on nuclear weapons and led to disinvestment in nuclear weapons producers (Acheson 2018).

### ***The peace movement and the 2003 Iraq War***

The prospect of war against Iraq triggered possibly the largest peace protests in history on 15 February 2003 (Cortright 2008: 172). In contrast to the peace movement during the Vietnam War, they were also transnational in scope and organization, illustrating the change from largely domestic-based NGO work to transnational campaigns. In the US, three organizational strands come together – Act Now to Stop War and End Racism was an anti-imperialist coalition, the United for Peace and Justice brought together grassroots organizations focusing on social justice, and the centrist Win Without War engaged in online mobilization and congressional lobbying (Cortright 2014: 497). The overall campaign was heavily influenced by the global justice movement and the world social forums that spread after the 1999 Seattle protest against the WTO (Verhulst 2010: 10–13; Tarrow 2015: 191). Arguably, the “war on terrorism” context following 9/11 and the Bush administration’s conservative and unilateral politics shrunk the activists’ political access and opportunities for action within institutional channels.

The resulting mass protests even led some journalists to declare that the antiwar movement had become a world “superpower.” Yet, it failed in its direct objective of preventing the war. After the war started, the “rally ’round the flag” effect kicked in, opportunities for protest shrunk, and by 2006 the movement largely dissipated into campaigning on other issues and in the US entered institutionalized politics by supporting the Democratic Party in congressional elections and Obama’s presidential campaign (Tarrow 2015: 193–195; Cortright 2014: 498–499; Heaney and Rojas 2011, 2015). In other countries it may have strengthened the domestic position of political actors opposed to the war; for example, Gerhard Schroeder’s reelection in Germany or Turkey’s denial of US overflights (Cortright 2008: 172–173). Yet it is difficult to estimate the add-on effect of the organized movement. According to Cortright (2008), the antiwar movement and the UN reinforced each other in opposing the war and this was the movement’s main effect – delegitimizing the war by withholding UN Security Council approval. Ultimately, Cortright credits the antiwar movement with the “Iraq syndrome” and backlash against US interventionist policies. Although one needs to separate the movement influence from other factors, the case shows again that NGOs have achieved moderate or few

policy changes in the fields of disarmament and peace, respectively, but have exerted stronger influence over broader norm developments and societal attitudes.

## Conclusion

Domestic and international political opportunities mediate NGO influence on peace and disarmament issues. However, NGOs have also managed to reshape public attitudes toward war and the permissibility of particular weapons, and to gradually change the political opportunities in which they operate. During the Cold War, peace and disarmament organizations were diverse, broad-based, relying on grassroots mobilization, and when faced with closed domestic structures used mass protests or sought roundabout ways to foster disarmament by establishing transnational epistemic communities of scientists and physicians in the West and the East. During this period, in the US, liberal organizations also pursued “respectable” politics, lobbying politicians, and promoting moderate positions, such as the bilateral freeze in the 1980s. Although they often failed to reach their immediate objectives, NGOs still restrained state policies, spurred international treaties, such as the PTBT, and contributed to stigmatizing nuclear weapons and aggressive war. Their biggest, if indirect, achievement was in creating the ideational premises and transnational links that made the end of the Cold War possible.

As organizations gained access to policymaking, they became more professionalized and less radical – a trend intensified by the opening of new international opportunities after the end of the Cold War. A more permissive security environment refocused NGO efforts toward the creation of international legal norms in partnership with middle-sized states. While their specific goals became more circumscribed (norms without formal great power support), NGOs’ broader objectives remained to indirectly bind the great powers, especially the US, to the new norms. The success of NGOs in the post-Cold War period was facilitated by their humanitarian reframing of weapons issues and partnership with middle-sized states. NGOs used “naming and shaming” to stigmatize indiscriminate weapons and pressure states to comply with the new norms. Importantly, through their advocacy NGOs gained better access to international institutions and participated actively in treaty-making, campaigning for ratification, and later monitoring treaty compliance. As a result, they have widened the political opportunities at the international level and used them to push new legal developments related to humanitarian disarmament and exert pressure from above on states resistant to them.

Thus, NGOs have become not only agenda-setters working through states and international intuitions, but also active participants in security governance. More research remains to be done on the ability of NGOs to influence non-state actors, such as banks, business companies, and non-state armed groups – recent targets of NGO campaigning on humanitarian disarmament. Attention should also be paid to larger questions about how NGO professionalization affects the ability of civil society to pursue a more comprehensive peace agenda and the impact of norm-creation without the great powers on the strength and stability of the international legal and normative orders.

## Notes

- 1 Goals may also be organizational, such as increasing membership, funding, or position vis-à-vis other NGOs without necessarily contributing to an organization’s policy goals.
- 2 Chatfield (2004) provides an overview of the historical literature.
- 3 Antiwar protest formed part of the 1960s student movements in Western Europe, but there were few transnational connections. Actions inspired by the American antiwar movement were launched in the UK and Australia, for example. See Ellis (2014), Piccini (2016).
- 4 On the antiwar movement of soldiers and veterans, see Cortright (2005), Moser (1996), Hunt (1999).

- 5 Intervention in Central America energized peace organizations on a smaller scale (Smith 1996).
- 6 The 1985 and 1995 Nobel Peace prizes of IPPNW and the Pugwash Conferences on Science and World Affairs, respectively, recognized their roles in bridge-building between the West and the East.
- 7 Davies (2014: 162) notes the general trend toward homogenization of NGO activities and advocacy by previously service-oriented organizations.
- 8 Jody Williams, "Nobel Lecture," 10 December 1997, [www.nobelprize.org/nobel\\_prizes/peace/laureates/1997/williams-lecture.html](http://www.nobelprize.org/nobel_prizes/peace/laureates/1997/williams-lecture.html).
- 9 "Press Release – Nobel Peace Prize 1997," [www.nobelprize.org/nobel\\_prizes/peace/laureates/1997/press.html](http://www.nobelprize.org/nobel_prizes/peace/laureates/1997/press.html).
- 10 "Press Release, SG/SM/11881-DC/3135," 24 October 2008, [www.un.org/press/en/2008/sgsm11881.doc.htm](http://www.un.org/press/en/2008/sgsm11881.doc.htm).
- 11 "Pledge presented at the Vienna Conference on the Humanitarian Impact of Nuclear Weapons," [www.bmeia.gv.at/fileadmin/user\\_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14\\_Austrian\\_Pledge.pdf](http://www.bmeia.gv.at/fileadmin/user_upload/Zentrale/Aussenpolitik/Abruestung/HINW14/HINW14_Austrian_Pledge.pdf).

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# NGOs and the environment

*Naghmeh Nasiritousi*

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## Introduction

Non-governmental organizations (NGOs) have long been recognized as crucial actors in global environmental politics. With their involvement in issues such as biodiversity and conservation, desertification, transboundary air pollution, and climate change, NGOs have become significant actors on the global stage (Betsill and Corell 2007; Finger and Princen 1994). The burgeoning literature on NGOs has highlighted their different roles in global environmental politics. For instance, they have been described as “*agitators* for environmental action, *architects* of governance solutions, and *entrepreneurs* for new sorts of initiatives” (O’Neill 2014: 26). Similarly, Betsill (2015: 251) describes NGOs involved in climate change governance as “*activists* raising awareness and calling for action; as *diplomats* working with governments to craft climate policies; and as *governors* developing new mechanisms for steering society towards a low-carbon future”. More generally, Nasiritousi (2016: 2) describes their roles as “*shapers* of information and ideas, *brokers* of knowledge, norms and initiatives, and *doers* of implementing policies and influencing behaviours”.

What all these accounts of NGO activities in the environmental field have in common is that NGOs are political actors with important roles to play in the governance of environmental issues (see also Burgiel and Wood 2012). What is sometimes not adequately highlighted, however, is the diversity in the types of actors that make up the NGO community seeking to address environmental issues. With some of the literature on the roles of NGOs mainly focusing on describing influential NGOs that work for the public good, it is often easy to forget that NGOs come in many shapes and sizes. Nasiritousi (2016) criticizes the often rosy view of NGOs in the literature and points out that different types of NGOs fulfill various roles to different extents.

This chapter examines NGOs that play a role in addressing environmental issues. While NGOs work at many levels, from the local to the global, the focus in this chapter will be on those that work at the international level. The definition of NGOs used in this chapter will thus be broad and follow the approach adopted by the UN when admitting observer organizations (see section below on Major Groups). The aim of the chapter is to provide an overview of categories of NGOs in this field, and to outline the range of approaches adopted by such NGOs, the strategies used, and their influence. Hence, the chapter discusses the plurality of NGOs

involved in global environmental governance and the main paths through which they seek to influence outcomes. While the chapter examines NGOs involved in the area of environment and sustainable development in general, its empirical focus will be on NGOs that work in the realm of climate change governance.

The remainder of the chapter proceeds as follows. The next section outlines milestones in international efforts to address sustainable development and negotiate multilateral environmental agreements, and provides an overview of NGO involvement at these events. Next, the different types of NGOs are discussed, highlighting the diversity of NGOs and in general terms describing the range of approaches adopted by such NGOs. Subsequently, a more detailed analysis of the roles of NGOs in global climate change governance will be provided, with a discussion of NGO strategies used and their influence. The final section concludes with a discussion about the implications of greater NGO activities for the legitimacy and effectiveness of global environmental governance and explores future research avenues.

## **A history of global environmental governance and the roles of NGOs therein**

Environmental problems, such as biodiversity loss and air pollution, can have both local and global effects. While human activity has always impacted on the environment, technological advances since the Industrial Revolution and processes of globalization have contributed to multiplying and amplifying those effects. The twentieth century thus saw an acceleration in the scale and scope of environmental problems (O'Neill 2017). Given the transboundary nature of many environmental problems, international cooperation has been necessary to address them. Environmental problems such as climate change, acid rain, and stratospheric ozone depletion are transnational in nature, meaning that even powerful countries cannot take unilateral action to address such problems (O'Neill 2017). Consequently, international cooperation on environmental issues has taken many forms.

One important form of international cooperation is through the signing of multilateral environmental agreements (MEAs). In fact, researchers have coded over 1,280 MEAs that states have devised to tackle environmental problems (Mitchell 2018). NGOs have played a prominent role in many of these processes – from raising awareness of environmental issues and getting them on the international agenda, to influencing outcomes, implementing decisions, and monitoring state commitments (Raustiala 1997).

One of the first milestones in global environmental governance was the 1972 UN Conference on the Human Environment in Stockholm, Sweden. Attended by 113 countries and over 250 NGOs as observers, this conference laid the foundation for modern global environmental governance (Willetts 1996). This was also a key moment for NGOs for several reasons. First, NGOs had been enlisted as experts even in the preparatory phase of the conference, thus having the chance to influence documents that set the scene for the conference. Second, forty-seven countries included NGOs as part of their official delegation, thereby providing those NGOs with new insights into interstate negotiations. Third, the conference included a parallel open forum, the Environment Forum, where NGOs could more freely express their views and highlight causes. Such discussions proved to be important, as for example through this space the issue of whaling was pushed onto the diplomatic agenda of the official conference (Willetts 1996).

This model of state-NGO engagement at the international level has since been adopted at other multilateral environmental conferences, even though certain states have been suspicious of NGOs and have sought to curtail their activities in environmental negotiations (Willetts 1996). At the follow-up summit to the Stockholm conference that took place twenty years later – the

Earth Summit in Rio de Janeiro, Brazil in 1992 – NGOs had mobilized to make sure that their voices were not left out of the summit: 2,400 NGO representatives attended the Earth Summit as observers (which gives them participation rights but no negotiation or decision-making rights) and 17,000 attended the parallel NGO Forum in what has been described as “a watershed moment in NGO engagement in international environmental policy discussions” (Burgiel and Wood 2012: 127). The sheer number of participating NGOs was in stark contrast to how international meetings were conducted in other policy areas, such as in international trade and security (O’Neill 2014). This event has been said to mark the beginning of “the participatory turn of global environmental governance” (Bäckstrand 2006: 470) whereby the participation of NGOs became seen as integral to the legitimacy of international environmental cooperation. NGO involvement became a cornerstone of the documents that the Earth Summit gave rise to, including the Rio Accords and Agenda 21 (Bäckstrand 2006).

NGO participation continued to grow in the two succeeding UN sustainable development conferences. At the 2002 World Summit on Sustainable Development in Johannesburg, South Africa, there were 8,000 NGO representatives. While this summit did not produce any major treaties, agreement was reached on smaller-scale initiatives known as “Type II partnerships” where NGOs joined forces with governments and other actors to implement initiatives (O’Neill 2014). Similarly, the Rio+20 Conference in 2012 attracted thousands of NGO representatives. At this conference, NGOs were actively involved in trying to influence the outcome document “The Future We Want”, as well as organizing side-events and events outside the conference in what has been described as “an extraordinary trade fair of political, social, technological and commercial ideas” (Vidal 2012). NGOs were also involved in the more than 700 voluntary commitments for sustainable development that were registered in connection with the Rio+20 conference as a way to spur action on sustainable development (Ramstein 2012). NGOs continued to stay engaged in the processes that originated at Rio+20 and which in 2015 led to the adoption of the 2030 Agenda for Sustainable Development and its seventeen Sustainable Development Goals (Kanie and Biermann 2017). Through extensive consultations, the world now has seventeen universal goals and 169 specific targets for achieving sustainable development. As part of this agenda, NGOs have been recognized for playing an important role in implementing, monitoring, and reviewing actions toward sustainable development (UN 2015).

What this historical overview of NGO involvement in the key summits of global environmental governance shows is that NGOs have become an integral part of global environmental governance. Whereas at first only NGOs with particular expertise were invited in the run-up to the 1972 Stockholm conference (Willetts 1996), both the number and types of NGOs quickly grew for subsequent meetings. In fact, the recognition at the Earth Summit in 1992 that sustainable development can only be achieved through the engagement of a broad set of actors meant that a system was drawn up to organize interactions with different types of NGOs. NGOs thus came to be organized into “Major Groups”, as a way to categorize organizations with broadly similar interests. The next section outlines the Major Groups and discusses other ways of differentiating those NGOs that are involved in addressing issues of the environment at the global level.

## **Similarities and differences between NGOs in global environmental governance**

The Earth Summit’s Agenda 21 recognizes the importance of NGOs to address sustainable development and categorizes them into nine Major Groups. These are: Women; Children and Youth; Indigenous Peoples; Local Authorities; Workers and Trade Unions; Business and Industry; Scientific and Technological Community; Farmers; as well as a general category called

Non-Governmental Organizations.<sup>1</sup> This list provides an indication of the breadth of interests represented by the NGO community attending UN environmental conferences. Within the different categories, there are also a heterogeneous set of organizations often with a conflicting set of priorities or interests. For example, there are secular organizations and religious organizations, organizations that prioritize economic development and those that prioritize nature conservation, those that support local solutions and those that support global solutions. What most of these NGOs have in common, though, is that they are advocacy organizations, working to further their particular cause (O'Neill 2014).

This thus means that even within a constituency such as environmental NGOs, that to the outside might appear relatively homogenous in their causes, there is great variation in the policies that they advocate. An example is on the topic of conservation, where there have been conflicts between some conservation NGOs and other environmental NGOs on the most preferred policies for protecting wildlife, and in particular on whether and how to work with local communities (Duffy 2013; Chapin 2004). More broadly, there have been significant disagreements between “light green” and more radical environmental NGOs on how to relate to current power structures and dominant discourses (Dauvergne and LeBaron 2014).

Except for their differing causes, the differences that set NGOs apart include resources, strategies, size, level of professionalization, membership base, and access to policy-makers. For example, large Northern NGOs have a different level of capacities compared to grassroots NGOs from the South (O'Neill 2014). Well-known NGOs such as the World Wide Fund for Nature (WWF) or Greenpeace have several decades' worth of experience of working on environmental issues and therefore have access to well-established networks with policy-makers and other key actors. They both have a considerable membership base and sizeable funds. These NGOs can therefore afford to send their representatives to several international environmental conferences each year. They tend to have chapters in different countries and can thus work on multiple issues at the same time. Smaller grassroots organizations, in contrast, do not have the same access to resources and therefore their presence at global conferences tends to be more limited – with participation going up when the conference is located in close proximity to where those groups are based, so that local groups can more easily travel to the conference (Nordang Uhre 2013).

Moreover, the range of approaches that different types of NGOs employ differ. Depending on how their agendas align, NGOs can choose a collaborative or confrontational approach when targeting other actors (Rietig 2016). NGOs that have local governments or businesses as their members more often rely on insider strategies compared to, for example, youth groups or environmental NGOs that also rely on outsider strategies such as protests and demonstrations. The former generally have a closer relationship with policy-makers and thus focus their activities on lobbying (Betzold 2013). In contrast, at Rio+20 youth groups, environmental NGOs and indigenous groups staged a demonstration when they felt that they had exhausted the insider strategies available to them (Watts 2012). While most NGOs seek to employ both insider and outsider strategies, some prefer not to participate at the official meetings but instead make their voice heard at alternative conferences, such as the People's Summit organized in conjunction with Rio+20. At the other end of the spectrum, some NGOs are invited to sit on the official government delegations, thereby gaining access to negotiations that are closed to observers. However, countries tend to enforce strict guidelines on what such NGOs can and cannot say; those NGOs thereby lose much of their independence while they sit on the delegation (Nasiritousi and Linnér 2016).

This difference in which NGOs participate at the official events of course plays a part in determining which NGOs can influence the official outcome documents. Influencing the text generally requires extensive cooperation with one or more state delegations (Betsill and Corell 2007).

The chances for this go up if NGO representatives know the issues well, speak fluent English (the main negotiating language) and are versed in the technical language of the proceedings, and have a good working relationship with negotiators, all of which is associated with Northern professional NGOs. Smaller NGOs can, however, increase their impact by joining larger networks of NGOs (O'Neill 2014). Such an example is the Climate Action Network (CAN) which is a worldwide network of around 1,000 NGOs from over 100 countries working to address climate change.<sup>2</sup> By joining forces, smaller NGOs can contribute to influencing policies through the wider network that share a common goal. Thus by working together and thereby representing more actors, networked organizations can wield greater influence than individual organizations (O'Neill 2014).

Participation in international environmental policy processes is, however, only one way in which NGOs seek to influence global environmental governance. Some target other international bodies, such as multilateral financial or trade institutions like the World Bank or the World Trade Organization, to seek to green the activities of such bodies (Gutner 2012). Another strategy is to work directly with large companies to green their business practices, such as the pioneering partnership between the Environmental Defense Fund and McDonald's in the 1990s that reduced the fast food company's packaging waste (MacDonald 2012). Another type of cooperation with companies is the setting up of certification schemes that seek to drive sustainability in sectors such as timber and fish. Well-known examples of this are the Forest Stewardship Council (FSC) and the Marine Stewardship Council (MSC). In these cases NGOs (such as WWF which has been a key actor in both schemes) have deemed that interstate cooperation has not produced adequate governance instruments for protecting valuable resources and thus have set up their own initiatives to promote sustainable practices. This type of activity is a more direct, but costly, way of influencing global environmental governance as it requires sustained multi-stakeholder cooperation. Its effectiveness is also not a given as it builds on voluntary participation, and being a market-driven form of environmental governance it is susceptible to being accused of greenwashing (see e.g. FSC-Watch 2011).

These latter examples show how NGOs may also engage in what Wapner (1995) calls "politics beyond the state", whereby they target actors other than state actors. Notably, by raising awareness and changing practices, NGOs have been successful in highlighting sustainability issues to the broader public. Groups such as Zero Waste Europe have, for example, contributed to raising awareness of the concept of the circular economy and the damaging effects of plastics on the environment.<sup>3</sup> By changing attitudes about acceptable practices, NGOs can support shifts in the environmental impacts of consumption and production patterns. The tactics for doing so, however, differ. In particular, conflicts have emerged between different environmental NGOs in how they approach the corporate sector, specifically on whether they choose collaboration or confrontation. WWF has, for example, been criticized on the grounds that they work too closely with corporations and that they thereby shy away from calling out unsustainable practices (Dauvergne and LeBaron 2014).

In sum, there is a considerable breadth of NGOs that work on issues of the environment and they do so at multiple sites and in many different ways. Having outlined the general contours of NGO involvement in global environmental governance, the next sections turn to a more in-depth examination of their different roles in global climate change governance.

## NGOs in global climate change governance<sup>4</sup>

Governing climate change represents a defining challenge for the twenty-first century. Climate change has been depicted by scholars as a wicked problem, meaning that the problem resists



resolution because of its complex nature and lack of simple solutions (Levin et al. 2012; Hoffmann 2011). Because the issue of climate change includes discussions about other political domains, such as energy, finance, food security, and health, it has attracted the involvement of a myriad of actors that “are operating across various scales, in different regions, and are seeking to mobilise a wide range of discourses, tools, techniques and practices in order to govern” (Bulkeley et al. 2014: 38). The defining features of global climate change governance are thus that it includes a range of actors, requires cooperation across multiple levels, and is transnational in scope. The governing of climate change therefore represents a microcosm of wider global environmental governance (Green 2013). Moreover, relevant for the purposes of this chapter, NGOs have had important roles to play in climate change governance from the start.

While the history of climate change science dates back to the 1800s, it was not until the latter parts of the twentieth century that this problem reached the international political agenda. Environmental as well as research-oriented NGOs, such as the Beijer Institute, the Environmental Defense Fund, the World Resources Institute, and the Woods Hole Research Center, were instrumental in placing climate change onto the international policy agenda (Betsill 2015). Through the organization of conferences where policy action to address the emerging consensus on climate change was called for, such NGOs managed at the end of the 1980s to prompt the international community to come up with a policy process to address climate change. In 1988, the World Meteorological Organization and the UN Environment Program set up the Intergovernmental Panel on Climate Change (IPCC) in order to provide policy-makers with an assessment of the science on climate change.<sup>5</sup> The IPCC allows for NGOs “qualified in matters covered by the IPCC” to participate in its sessions.<sup>6</sup> Currently there are eighty-seven NGOs accredited, among which include such disparate organizations as the Third World Network, Wetlands International, and the World Coal Institute.<sup>7</sup>

Having succeeded in raising awareness of the climate change problem, NGOs also got involved in the policy process to address the issue. At the Earth Summit in 1992, the United Nations Framework Convention on Climate Change (UNFCCC) was opened up for signatures. Being tasked to formulate an international policy response to address climate change, the UNFCCC has turned into a key venue where the multilateral (state-centric) and the transnational (including NGO) arenas meet (Bäckstrand et al. 2017; Lövbrand et al. 2017; Betsill 2015). The UNFCCC conferences are thus important for global climate change governance both in terms of the significance of the decisions negotiated and in terms of serving as a platform for the exchange of views and ideas amongst a range of stakeholders. The conferences offer NGOs, who are accredited with observer status, the opportunity to lobby negotiators to influence climate change policy (Hanegraaff 2015; Betzold 2014). They also provide a platform for NGOs to showcase their own initiatives in the field of climate change at exhibits and side-events and to network with other stakeholders (Schroeder and Lovell 2011; Hjerpe and Linnér 2010). The UN climate change conferences have thus been described as “messy political sites, where a multitude of actors come together to exchange ideas and knowledge, benchmark climate performance, build interpersonal relationships, organize resistance and propose policy alternatives in parallel to, and in view of, the interstate negotiations” (Lövbrand et al. 2017: 581).

Indeed, this international environmental regime is considered to be one of the most open to NGO involvement in terms of allowing a multitude of NGOs to attend its conferences and having relatively generous rules for NGOs on access to documentation, making statements, submission of written input, and consultations with the presiding officers and the Executive Secretary. The Secretariat also has an NGO-liaison section, which can be viewed as a sign of the deep engagement with NGOs (Nasiritousi and Linnér 2016; Depledge 2005). At the first conferences, particularly environmental NGOs, business and industry NGOs, and research NGOs



participated and sought to influence policy-makers. Over time, however, both the number and range of participating NGOs grew, with NGO representatives at times outnumbering state delegates (Löfbrand et al. 2017; Depledge 2005). In fact, interest from the NGO community to participate in UNFCCC conferences has grown so much that the UNFCCC introduced a quota system for observer access to the conferences after COP 15 in Copenhagen in 2009. Figure 23.1 shows the growth of admitted observer organizations throughout the over twenty years of international climate change negotiations under the auspices of the UNFCCC.

NGOs attending UNFCCC conferences are organized into nine constituencies with diverse but recognizable interests that mirror the Major Groups. These are: Business and industry NGOs (BINGOs), Environmental NGOs (ENGOs), Farmers (F), Indigenous peoples organizations (IPOs), Local government and municipal authorities (LGMAs), Research and independent NGOs (RINGOs), Trade union NGOs (TUNGOs), Women and Gender Constituency (WGC), and Youth NGOs (YOUNGOs) (Nasiritousi et al. 2016a). Figure 23.2 shows that ENGOS, RINGOs, and BINGOs still make up the majority of NGOs accredited to the UNFCCC. YOUNGOs have increased rapidly in recent years, albeit from a very low level. The non-affiliated category includes NGOs that do not wish to be part of a constituency or groups that do not fit within the established categories, such as faith groups.

Within the constituencies there is a wide range of actors with different interests. The business community, for example, ranges from groups that are opposed to international regulations to groups that see business opportunities in stricter climate policies (Betsill 2015). This example highlights conflicts in the NGO community over the policy response to climate change. Nasiritousi et al. (2014) found that views on the most effective solutions to address climate change diverge more between groups of NGOs than between NGOs and state actors. This could also be seen in the split of the environmental NGOs into a more radical faction in 2009 with the emergence of Climate Justice Now! and Climate Justice Action that emphasize the need for structural changes in the global economy and the need to bring justice to the victims of climate change (Betsill 2015; O’Neill 2014). Overall, recent years have seen a growth in the plurality of

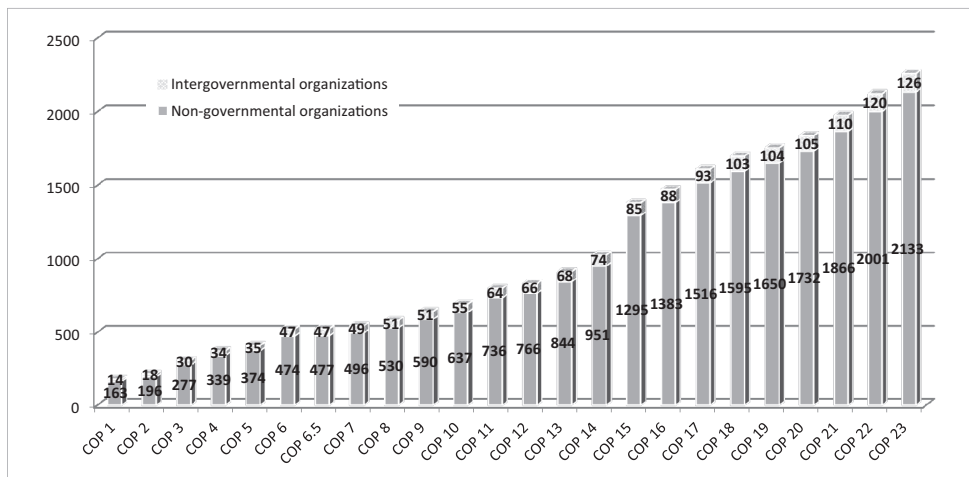


Figure 23.1 Cumulative admission of observer organizations

This figure shows the cumulative admission of observer organizations – intergovernmental organizations (IGOs) and non-governmental organizations (NGOs) – from UNFCCC conference of parties (COP) 1 in 1994 to COP 23 in 2017. Source: UNFCCC.

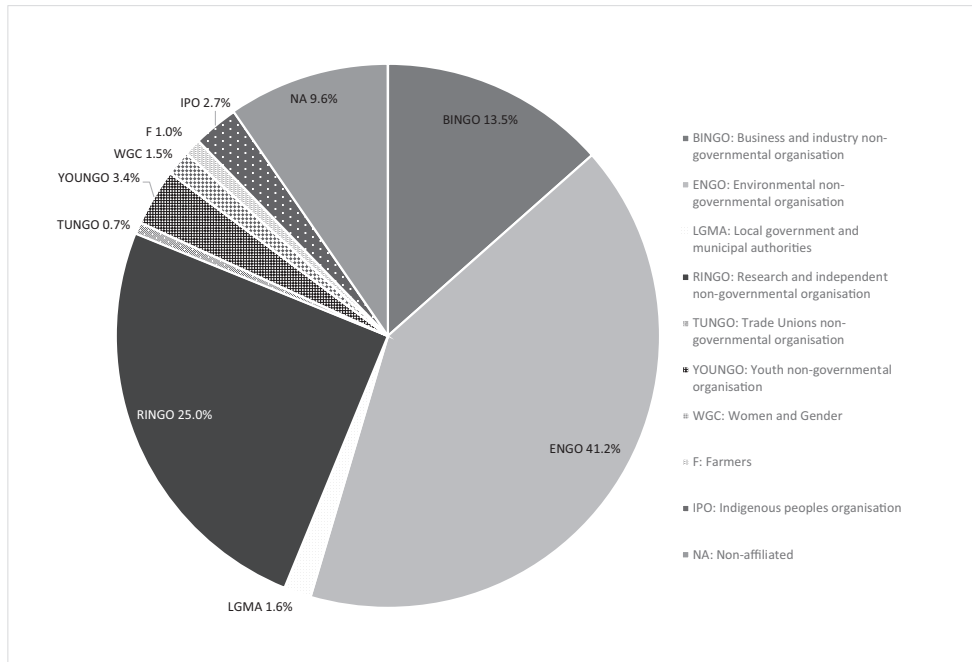


Figure 23.2 Constituency affiliation of admitted NGOs (as at December 2017)

This figure shows the constituency affiliation of admitted NGOs to the UNFCCC as at December 2017. The constituency groups are: Business and industry NGOs (BINGOs), Environmental NGOs (ENGOs), Farmers (F), Indigenous peoples organizations (IPOs), Local government and municipal authorities (LGMAs), Research and independent NGOs (RINGOs), Trade union NGOs (TUNGOs), Women and Gender Constituency (WGC), and Youth NGOs (YOUNGOs). NA in the figure refers to non-affiliated. Source: UNFCCC.

NGOs attending the UNFCCC conferences, with those focusing on, for instance, human rights, social justice, peacebuilding, and poverty increasingly participating (Hadden 2015).

In sum, the constituencies vary in size, resources, and approach to climate diplomacy. They encompass a wide range of actors with varying interests and views, and different capabilities to promote these interests with authority. To understand the roles of these actors in global climate change governance, it is thus important to examine the range of approaches adopted by NGOs, the strategies used, and their influence in international climate diplomacy. This would only reveal part of the story, however, as many more NGOs are engaged in global climate change governance outside the UN process (Nasiritousi et al. 2016b; Betsill 2015). The remainder of the chapter therefore examines how NGOs are involved in global climate change governance both as observers at the UNFCCC and beyond the international climate change negotiations.

## NGOs in climate diplomacy and beyond

The literature has identified three broad paths through which NGOs can influence policy outcomes despite lacking legislative powers. First, NGOs can play a role in shaping policy outcomes by carrying out tasks mandated to them by states or by partnering with states to carry out governance activities. Second, NGOs can try to influence state policy through lobbying or advocacy. Third, NGOs can be entrepreneurial through independent action on the ground, for example by forming transnational governance initiatives with other non-state actors (Nasiritousi

2016; Bulkeley et al. 2014; Green 2013). The area of climate change governance offers many examples of NGOs trying to pursue these paths.

For example, forty-six NGOs have partnered with states and intergovernmental organizations to join the Climate and Clean Air Coalition (CCAC) with the aim to reduce short-lived climate pollutants. Such NGOs include the Bellona Foundation and the C40 Cities Climate Leadership Group.<sup>8</sup> Another example of NGO involvement in a state-led climate change initiative is the NDC Partnership, which is a coalition of countries and international organizations that seek to drive ambitious climate action by mobilizing support for effective implementation of climate goals. This Partnership is hosted by the World Resources Institute and has ICLEI – Local Governments for Sustainability as an associate member.<sup>9</sup> By partnering with states and intergovernmental organizations, NGOs obtain the opportunity to develop voluntary initiatives and contribute to implementing policies. This type of engagement, however, usually requires particular competencies or resources and is therefore not a path that is open to all types of NGOs.

Examples of the second type of path through which NGOs can influence policy outcomes are numerous. Both at the international climate change negotiations and beyond, many NGOs seek to lobby policy-makers and influence other actors through advocacy. Lobbying and advocacy take place at many levels (i.e. local, regional, international) and involve a range of strategies. According to Keck and Sikkink (1998), strategies range from *information politics* (i.e. generation and dissemination of relevant information), *symbolic politics* (i.e. the use of symbols and narratives to connect with various audiences), and *leverage politics* (i.e. putting pressure on or allying with stronger actors), to *accountability politics* (i.e. monitoring actions and holding actors to promises made, for example through naming and shaming tactics).

An example of NGOs employing all of these tactics is the coalition of NGOs that advocate for the need to hold much of the remaining reserves of fossil fuels in the ground to prevent catastrophic climate change. Through the Big Shift Global campaign, NGOs such as Oil Change International, Friends of the Earth, 350.org, and Christian Aid have disseminated information to policy-makers and the media on why fossil fuel subsidies need to be phased out as soon as possible.<sup>10</sup> Their campaign has been boosted by the news from the World Bank Group at the One Planet Summit in 2017 that they will take a number of steps to strengthen climate action and drive decarbonization, including ending finance toward upstream oil and gas by 2019.<sup>11</sup> Moreover, Carbon Action Tracker has popularized the term carbon bubble, which refers to the investment bubble that would burst if the world accepts that much of the world's fossil fuel reserves must be kept in the ground in order to adequately address climate change (Nasiritousi 2017; Ayling and Gunningham 2017). This has contributed to putting a focus on carbon risk amongst policy-makers and financial institutions (see e.g. Bowen and Dietz 2016). Furthermore, through a global divestment campaign, NGOs such as 350.org have been instrumental in challenging the fossil fuel sector both politically and financially by organizing protests and campaigns that have led to 831 institutions fully or partially divesting from fossil fuels to an approximate value of \$6 trillion.<sup>12</sup> Finally, sprung out of opposition toward plans by the Norwegian government to expand oil exploration in the Lofoten area, NGOs have taken the Norwegian government to court for breaching their climate change obligations and rallied over 220 actors from fifty-five countries around the Lofoten Declaration, calling for a managed decline of the fossil fuel sector.<sup>13</sup> Although losing the court case, the NGOs struck a partial victory when Norway's government recently announced that oil exploration at Lofoten will be banned until at least 2021.<sup>14</sup> These examples show that by working on many fronts and together with different actors, NGOs can have an influence in framing discussions and decisions and thereby contribute to addressing climate change.

It is worth keeping in mind, however, that since NGOs' views often diverge, they can "lobby for either side of a cause" (O'Neill 2014: 41). A notable example of an NGO that

worked to undermine climate change action was the Global Climate Coalition (GCC), a well-funded American-based NGO supported by many large corporations, including several major oil and gas companies. This NGO (active 1989–2001) lobbied both at the domestic and international levels to prevent strong climate change policies and launched a campaign that branded the Kyoto Protocol as unfair to American businesses. Such actions influenced the US Congress and eventually led to the US withdrawing from Kyoto, thereby weakening international cooperation on climate change (Downie 2014). According to Betsill (2015: 256), “working simultaneously at the international and national levels allows NGOs to invoke the ‘boomerang strategy’ and put pressure on states from above and below”. More generally, studies have found that influence by NGOs at multilateral climate change negotiations requires consistent engagement by NGOs and that NGOs tend to be more successful in raising issues and shaping the agenda than having their positions reflected in the official agreements (Betsill 2015; Downie 2014).

The third path through which NGOs can influence outcomes is by taking entrepreneurial action by establishing their own forms of climate initiatives together with other transnational actors. This type of activity thus does not rely on working with or influencing states, but has instead been described as “agency beyond the state” (Betsill 2015: 257). An example of such an NGO initiative is the Science-Based Targets Initiative, which is a collaboration between CDP, World Resources Institute, WWF, and the UN Global Compact and works with companies to set science-based targets for emission reductions.<sup>15</sup> Another notable example is the GHG Protocol, which is the world’s most widely used standard for greenhouse gas accounting and was developed by the World Resources Institute and the World Business Council on Sustainable Development.<sup>16</sup> Focusing on cities, ICLEI’s GreenClimateCities program offers local governments a framework for pursuing urban low-carbon development.<sup>17</sup> These cases highlight how NGOs can fill gaps in global climate change governance to address issues that states have failed to address or have not adequately responded to.

The realization that NGOs fulfill multiple roles has prompted the UNFCCC to seek to engage NGOs beyond being mere observers at the conferences. The UNFCCC’s Global Climate Action framework launched in 2016 together with the Non-State Actor Zone for Climate Action (NAZCA) and the International Cooperative Initiatives (ICI) portals aim to catalyze and support climate action beyond states.<sup>18</sup> Such orchestration efforts have, however, been criticized on both effectiveness and legitimacy grounds (Chan et al. 2018; Bäckstrand and Kuyper 2017). Some of the problems with these types of voluntary initiatives are that they are difficult to follow up on and lack accountability mechanisms. In addition, there is a skewed distribution of initiatives geographically which means that the people most vulnerable to climate change are less likely to directly benefit from such initiatives (Chan et al. 2018). More generally, Bulkeley et al. (2014) found many of the transnational initiatives to be in line with a dominant liberal environmentalist ideology with an emphasis on market governance. An over-reliance on voluntary initiatives thus risks leading to a marketization of governance and the strengthening of already strong interests (Bulkeley et al. 2014). The enhanced role of NGOs in the work of the UNFCCC has also brought new conflicts between different groups of NGOs to the fore. In particular, a coalition of NGOs is urging the UNFCCC to establish a conflict of interest policy to limit the influence of businesses such as fossil fuel companies whose business interests conflict with the aims of the UNFCCC (UNFCCC 2017). So far UNFCCC member countries have resisted introducing such a policy on the basis that the business constituency is important for the work of the UNFCCC.

The examples above show that NGOs have influenced global climate change governance in different ways. It also shows, however, imbalances in the strength of different NGOs, where particularly well-resourced NGOs are more successful in making a mark. Beyond the issue of resources, Nasiritousi et al. (2016b) showed how the different NGO constituencies have comparative

advantages in different governance activities. Finding distinct governance profiles for each constituency, the study showed, for example, that influence and action seem to be most associated with BINGOs and somewhat with LGMAs, ideas and expertise with RINGOs, and awareness raising and representation with ENGOs and IPOs. These governance profiles correspond well with the governance profiles of the Major Groups that participated in the Rio+20 conference, indicating that they are not limited to the field of climate change (Linnér et al. 2013). An implication of this is that different types of NGOs may cooperate with other categories of NGOs in order to achieve greater impact across the policy cycle. The trend toward partnerships in global climate change governance may reflect this insight.

Taken together, NGOs can affect outcomes by contributing with ideas, raising awareness, shaping discussions, influencing decisions, implementing policies, and normalizing actions. For instance, some of the initiatives that started as non-state actor experimentation for climate action (Hoffmann 2011), such as the Carbon Disclosure Project (CDP), have now developed into international cooperative initiatives that are highlighted by the UNFCCC as important governance arrangements (Hjerpe and Nasiritousi 2015). Thus by writing reports, participating in awareness-raising activities, launching educational and media campaigns etc., NGOs may influence how issues are perceived and discussed. Through lobbying for particular solutions or through demonstrations or protests, NGOs can seek to put pressure on policy-makers and other actors to influence outcomes. Finally, by forging partnerships and launching their own governance initiatives, NGOs can seek to steer society toward a particular cause. In sum, this implies that authority is increasingly shared between states and non-state actors in global climate change governance and that NGOs engage in governance activities that are broader than merely seeking to influence the negotiating text of intergovernmental meetings.

## Conclusion

This chapter has shown that NGOs are important actors in global environmental governance. NGOs contribute to global environmental governance in different ways and to different degrees by offering knowledge and expertise, moral arguments and new ideas, and by taking action on implementing policies and assuming the role of stakeholders. The approaches used by NGOs, and ultimately their influence, depend in some part on their resources and their comparative advantages in terms of, for example, expertise, access to policy-makers, or the ability to join networks. The overall landscape of NGOs involved in global environmental governance is hence characterized by plurality, inequality, and contradictions. NGOs pursue different causes to varying degrees of success which raises important questions about the implications of the growing participation by NGOs in global environmental governance for issues of legitimacy and effectiveness.

With the growing prominence of NGOs in global environmental governance, a key question that this chapter highlights is whether this development strengthens already strong actors or whether it provides opportunities for marginalized voices to be heard. The results from Nasiritousi et al.'s (2014) study indicate that mainstream voices dominate at the climate change conferences but that the plurality of actors ensures that some marginalized perspectives are heard that otherwise would risk being left out, perhaps showing that these two scenarios are not mutually exclusive. Further empirical work is, however, required to better understand the implications of the involvement of NGOs in global environmental governance on the legitimacy of evolving governance arrangements.

Another important issue that remains unresolved is the implications of the growing participation by NGOs in global environmental governance on environmental outcomes. The additional ideas, knowledge, and resources that NGOs bring to the table arguably contribute to enhancing

environmental outcomes. On the other hand, the high degree of contestation within the NGO community (Betsill 2015; Nasiritousi et al. 2014; Duffy 2013) means that NGOs do not all pull in the same direction. While this may benefit global environmental governance in terms of adding to the plurality of voices, the high degree of contestation may also mean that different NGO efforts undermine each other, thereby reducing overall effectiveness. This is thus an issue where further empirical work is required. Given the considerable participation of NGOs in the contemporary global environmental governance landscape, the question concerning their effectiveness is not a yes or no issue. Instead of asking whether NGOs can contribute to effective global governance, it is necessary to examine how and under what conditions they can do so (Green 2013). As shown by Nasiritousi (2016), institutional arrangements that govern NGOs' participation in international affairs are important for setting the terms for which NGOs can participate effectively and with what effect.

As the world is facing increasingly pressing environmental challenges that the international system is ill-equipped to handle, the role of NGOs in global environmental governance is likely to grow. Hence, as NGOs play a more active role in global environmental governance, how these actors interact with other actors in the international system will be of continued interest to policy-makers and scholars. Future work should focus on analyzing the implications of the growing role of NGOs in this field and continue to map the conflicts and power structures within the heterogeneous NGO community. The patterns of cooperation and contestation that NGOs engage in ultimately add to the complexity of the international system. The way in which greater NGO engagement will impact on the political landscape in the long term is thus an important question for future studies.

## Notes

- 1 <https://sustainabledevelopment.un.org/mgos>, accessed 16 January 2018.
- 2 [www.climatenetwork.org/about/about-can](http://www.climatenetwork.org/about/about-can), accessed 16 January 2018.
- 3 <https://zerowasteurope.eu/about>.
- 4 This and subsequent sections draw on Nasiritousi (2016).
- 5 [www.ipcc.ch/news\\_and\\_events/docs/factsheets/FS\\_what\\_ipcc.pdf](http://www.ipcc.ch/news_and_events/docs/factsheets/FS_what_ipcc.pdf), accessed 16 January 2018.
- 6 [www.ipcc.ch/organization/organization\\_procedures.shtml](http://www.ipcc.ch/organization/organization_procedures.shtml), accessed 22 January 2018.
- 7 [www.ipcc.ch/apps/contact/interface/organizationall.php](http://www.ipcc.ch/apps/contact/interface/organizationall.php), accessed 22 January 2018.
- 8 <http://ccacoalition.org/en/partners>, accessed 22 January 2018.
- 9 <http://ndcpartnership.org/partners>, accessed 22 January 2018.
- 10 <http://priceofoil.org/2017/12/11/one-planet-sign-on-letter-stop-funding-fossils>, accessed 29 January 2018.
- 11 [www.worldbank.org/en/news/press-release/2017/12/12/world-bank-group-announcements-at-one-planet-summit](http://www.worldbank.org/en/news/press-release/2017/12/12/world-bank-group-announcements-at-one-planet-summit), accessed 29 January 2018.
- 12 <https://gofossilfree.org/divestment/commitments>, accessed 29 January 2018.
- 13 <http://priceofoil.org/2017/09/07/the-lofoten-declaration-a-new-bar-for-climate-leadership>, accessed 29 January 2018.
- 14 [www.ft.com/content/027cb250-f9d2-11e7-9b32-d7d59aace167](http://www.ft.com/content/027cb250-f9d2-11e7-9b32-d7d59aace167), accessed 29 January 2018.
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- 16 [www.ghgprotocol.org/about-us](http://www.ghgprotocol.org/about-us), accessed 29 January 2018.
- 17 [www.iclei.org/activities/agendas/low-carbon-city/gcc.html](http://www.iclei.org/activities/agendas/low-carbon-city/gcc.html), accessed 29 January 2018.
- 18 <http://climateaction.unfccc.int>, accessed 30 January 2018.

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# Civil society, expert communities, and private standards

*Alejandro M. Peña*

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The problem with an apolitical standpoint is rather that it does not stay clear of politics.  
(Soderberg 2008, p. 18)

## Introduction

The value of transnational civil society is generally understood in terms of its positive contribution to processes of international agenda-setting, cooperation, and regulation. Within the political science and international relations literatures, civil society actors, such as NGOs, social movements, and advocacy networks, have been commonly portrayed as moral and principled agents, often acting in support of universal and cosmopolitan values and rights, the defence of global public goods, and more inclusive mechanisms of global governance (Simmons 1998; Prakash & Gugerty 2010). This perspective has supported references to NGOs as ‘the conscience of the world’ (Willets 1996), linkages between transnational advocacy networks, democratisation, and the spread of human rights (Risse & Sikkink 1999), and views of counter-hegemonic social movements as expressions of ‘bottom-up’ globalisation (Falk 1997). The very chapters of this book indicate the continuing prevalence of this perspective, with NGOs discussed in relation to peace, humanitarian aid, human rights, the environment, women’s rights, development, and democracy. As expressed by John Dryzek (2012, p. 105), for its supporters, ‘Global civil society promises everything that established centres of power lack: openness, publicity, civility, inclusiveness, a broad variety of values, a potentially wide range of participants, contestation, and reflexivity’.

This chapter will problematise this positive normative perspectivism, exploring NGO activity in relation to standardisation, a domain where civil society actors have had a long and illustrious role but where this role does not necessarily match the view of NGOs as inclusive moral actors.<sup>1</sup> At the same time, the chapter aims to review the activities of NGOs in areas of norm-making often secluded from public politics, but that have become pervasive, if not fundamental, for the operation and governance of global affairs.

Until the 1980s, the ‘world of standards’ and standardisation was considered a narrow field involving faceless engineers and bureaucrats working in obscure institutions such as the International Organisation for Standardisation (ISO), unworthy of the interest of political

scientists (Mattli & Büthe 2003; Loya & Boli 1999). While technical standards are, quite possibly, one of the most ubiquitous mechanisms that ‘regulate and calibrate social life by rendering the modern world equivalent across cultures, time, and geography’ (Timmermans & Epstein 2010, p. 70), the issues, actors, and processes involved in standardisation were considered peripheral to world political affairs.<sup>2</sup> This perception progressively changed as the century came to a close, in light of thickening of interdependences associated with the end of Cold War politics, including the expansion of transnational corporations and the consolidation of transnational networks of social activism (Rosenau & Czempiel 1992; Ruggie 2004; Keohane & Nye 2000). Authors like Boli and Thomas (1997, p. 183) underlined the paradox of the academic exclusion of this domain of civil and political action, by highlighting that about two thirds of the number of INGOs in existence by 1988 were technical, economic, and scientific bodies involved in standardisation and rationalisation activities. The question of standardisation, moreover, became linked with the erosion of what Keohane and Nye (2002, p. 223) called the ‘club system’ of economic governance, as non-state actors challenged the monopoly state bureaucrats from developed countries had enjoyed over international rule-making (Risse 2007; Hall & Biersteker 2002; Strange 1996).

In the following two decades, the landscape of global governance changed dramatically, as intergovernmental regimes and frameworks mutated into ‘regime complexes’ (Alter & Meunier 2009) that included or co-existed with an array of private governance and standardisation initiatives dealing with varied aspects of trade, production, and socio-environmental governance: from labour conventions and corporate social responsibility (CSR) guidelines, to standards on financial reporting and investment, product sourcing, fisheries, paper and palm-oil production, and internet protocols, among many others (O’Rourke 2003; Pattberg 2005; Hertel 2006; Vogel 2008; Clapp 2003; Franssen 2012; Bartley 2003; Bartley 2011; Gereffi *et al.* 2001; Sahlén-Andersson & Djelic 2006; Abbott & Snidal 2001; Davis *et al.* 2012; Orsini *et al.* 2013). Though the number of standards in existence cannot be calculated (ISO alone has published over 21,000), the Standard Map Database of the International Trade Centre (a joint agency of the UN and the WTO) refers to over 230 ‘standard systems’ in the field of sustainability governance alone (ITC 2015), each of which comprises distinct coalitions of NGOs, firms, and international organisations collaborating with each other.

This proliferation and *de facto* (and often *de jure*) acceptance of standards as instruments of global governance makes standardisation an interesting domain to nuance the international activities of NGOs beyond (liberal) normative preoccupations. This is because standards have a central particularity; they are voluntary, meaning that their diffusion and uptake hinge to a large extent on the legitimacy attributed to them by promoters and users, not on the penalties imposed by governments. But this legitimacy has two faces: one more instrumental, the other more political. At first hand, standards are technical regulatory instruments intended to reconcile expectations, lower transaction costs, and enhance efficiency, meaning that their legitimacy depends on how well they manage to do this. However, standards are highly political: not only do they serve as ‘a guide of behaviour and for judging behaviour’ (Abbott & Snidal 2001, p. 345), but they can have important distributional consequences for firms, states, and individuals (Büthe & Mattli 2011). In this manner, their legitimacy depends on who benefits and who loses (and by how much). Albeit the two rationalities are not exclusive, and historically had been somehow moderated with the humanist ‘savoir’ often found among the promoters of international technical cooperation (Higgins & Hallström 2007, p. 688; Murphy 1994), the role of civil society actors in international standardisation is framed in an ambivalent manner, oscillating between supportive views that see standards as more inclusive governance mechanisms than state- and market-based ones, and opposing stances where these are symptomatic of the

privatisation of global regulation and the sidelining of democratic representation (Murphy & Yates 2011; Scholte 2004).

This chapter revises the role of civil society actors and NGOs in this domain and fleshes out this ambiguity and its implications. For this, the argument follows three lines of analysis, respectively: (i) the ideal-type functions NGOs can play in alternative models of standardisation, (ii) the historical participation civil society actors and NGOs have had in diverse standardisation initiatives and fields, and (iii) the increasingly blurriness of the NGO–private boundary associated with this participation. The next section thus provides a conceptual typology to guide the more empirical narrative developed in the following two: the first examining the modern emergence of international standardisation initiatives, and the early interactions between movements of engineers and diplomats, and the second relying on more contemporary initiatives to explore how the role of NGO actors conflates with the multi-sectoral and exclusive character of epistemic communities. The fourth section concludes.

### Standardisation, legitimacy, and civil society: a typology

I propose a simple typology of different standardisation models drawing on two views of legitimacy. These typologies are not rare in the standardisation literature, and multiple authors have resorted to Fritz Scharpf's (1999) distinction between 'input' and 'output' legitimacy to conceptualise the authority of standards as soft norms, and the contribution of different types of actors (Börzel & Risse 2010; Bütthe 2010a; Mena & Palazzo 2012; Botzem & Dobusch 2012; Hahn & Weidtmann 2016; Risse 2006; Drezner 2007). I will not innovate significantly here, as I will rely on these two established concepts to link standardisation models with NGO and civil society participation.

In general terms, input legitimacy refers to the credibility and authority of the actors and procedures behind the production of decisions and rules, while output legitimacy considers the actual operation and effectiveness of these in terms of solving coordination problems and/or meeting expectations. While in relation to public governance, the central concern of Scharpf's original text, this underlined the difference between governance *by* the people and governance *for* the people, in relation to standardisation these categories have been redirected towards what Auld, Renckens, and Cashore (2015) denominated a 'logic of empowerment' and a 'logic of control', in view of the inclusivity and openness of standard-setting institutions, and the regulatory effectiveness of standards in terms of credibility, applicability, and functionality.

Across this literature, in general, the contribution of civil society organisations is generally presented through a deliberative–democratic argument. This argument poses that greater civil society participation in governance initiatives narrows the democratic deficit and enhances political and social legitimacy in spheres where principles and mechanisms of popular sovereignty are not possible, while promoting democratic values and practices of consensus, transparency, fairness, and accountability (Bernstein 2004; Koenig-Archibugi & MacDonald 2012; Fung 2003; Keohane & Nye 2002). Hence, as moral actors primarily concerned with normative adequacy and performance, NGOs keep standardisation honest, guaranteeing that 'whoever governs must be held accountable against international legal standards of human rights, the rule of law, and democracy', and enhancing sensitivity for the distributional consequences and social externalities produced by regulatory processes and outcomes (Börzel & Risse 2010, p. 128). Consequently, more inclusive norm-setting arrangements (input legitimacy) are expected to produce more socially accepted norms (output legitimacy), which will better reflect interests, mobilise support, deter opponents, resonate culturally, and travel across borders, all aspects *assumed* to be conducive to uptake and compliance (Espach 2009; Dobusch & Quack 2013).

This argument tends to consider that the ‘enforcement’ of private norms and standards rests mostly on indirect non-coercive social mechanisms, such as reputational threat, peer-pressure, public opinion, and normative change, embedded in institutional arrangements such as third-party certification (Bartley & Child 2014; Gilbert *et al.* 2011).

Less attention has been paid to the contribution of NGOs to the technical side of legitimacy, even if the linkage between technical adequacy and regulatory effectiveness is more straightforward than in the political case: the regulatory efficacy of standards follows from the knowledge of the actors involved in norm design, and the proper consideration of supply and demand-side requirements and factors.<sup>3</sup> Appropriateness here does not necessarily mean democratic participation, but the inclusion of competent actors, so that effective application follows design processes that maximise knowledge input while avoiding political or culturally motivated deadlocks and impractical or utopian considerations. NGOs and civil society actors can contribute to this, inasmuch as they provide expert advice during norm-setting, or deliver complementary roles supporting implementation. NGOs, particularly those with the capacity to support international initiatives, are thus treated as knowledge-actors, members of a transnational technocratic community promoting a rational-humanistic view of global regulation and ordering (Meyer 2000, p. 246; Meyer *et al.* 1997) that accepts that

scientific knowledge becomes socially validated as truth, the power that is used on behalf of this truth acquires social legitimacy, instrumental rationality becomes deeply institutionalized, and efficient practices rather than good practices become the natural order of things.

*(Adler & Bernstein 2004, p. 301)*

The first question lingering behind this dyadic distinction of legitimacy is whether it is possible to reconcile civil society’s role in standardisation with a balance between fairness and expertise. This has been a driving concern in the transnational governance literature, and the reason for the attraction many scholars in this field feel for Habermasian models of dialogic politics (Börzel & Risse 2010; Bernstein 2004; Risse 2000; Barnett & Duvall 2004). Habermas carved an extrinsic location for civil society that avoided ‘the bad alternative of either economic liberalism or *étatisme*’ (Cohen & Arato 1992, p. 131) and linked this domain with a procedural and normative domain of social action based on notions of comprehensibility, truthfulness, and rightness. In this model, civil society comprised the institutional embodiment of a deliberative and pluralistic ‘lifeworld’, while communicational action hedged politics against the instrumentality of state and economic actors (Risse 2006; Habermas 1984; Habermas 2008). However, a noted problem with Habermasian liberal rationalism is that it risks sacrificing the societal on the altar of rationality: a perfectly rational dialogic politics ultimately specifies basic requirements for political interactions and norm-setting mechanisms to meet in order to be legitimate. By default, this makes certain arguments, interests, and identities problematic, raising the problem that certain regulatory commitments and arrangements may not only be undemocratic and exclusive, but also irrational (Mouffe 2000; Chambers & Kopstein 2001).<sup>4</sup>

An alternative but less comfortable position – but one that this author sympathises with but that cannot be sufficiently developed in this chapter – is to distinguish two incommensurable governance logics operating transversally to both standardisation efforts and civil society participation: one normative, aimed at establishing authoritative rules; another technical, aimed at learning and problem-solving (Kerwer 2004, p. 201). *Contra* Habermas emerges then the shadow of Luhmann, posing that modern society is divided into functionally differentiated

systems or fields, each striving to establish their own conditions of legitimacy according to their own functional logic (Peña 2015; Lash 2003; Luhmann 1997). In this case, it would not be convenient to speak of ‘civil society’, assuming a homogenous normative perspective, but rather of *civil societies*, manifesting themselves differently in different domains of social action. These domains would possess structurally different mixes of input and output legitimacy requirements, making them more or less suitable to the different regulatory models, with differential balances between expert and representative roles by civil society, state, corporate, and technical actors (Denardis & Raymond 2013).

On these ideas, it is possible to draw a 2x2 typology of standardisation models considering the primacy attributed to political and technical requirements in both input and output legitimacy. For the former, this would mean a greater consideration of either political representation or technical competence criteria. For the latter, it would mean the prioritisation of either distributional fairness or of functional efficiency rationales. As presented in Table 24.1, this results in four models of governance and standardisation: namely, state-based regulation, representing intergovernmental regimes and multilateral frameworks (such as those promoted by the UN or the OECD), pure technical standardisation, and two intermediate models that I refer as public standardisation (where technical suitability is validated by political authorities) and multi-stakeholder standardisation (where distributional fairness is addressed by the inclusion of affected and qualified parties). Across these types lies a spectrum of trade-offs resulting from the encounter of political and functional logics and their corresponding benefits and downsides. In practice, these tensions and trade-offs are contextual and issue-specific. In principle, the general hypothesis is that the more standard-setting initiatives seek political input legitimacy by broadening participation and trying to incorporate fairness considerations, the higher the chances coordination problems may emerge, lowering output effectiveness. Simultaneously, the more exclusive and technocratic these initiatives are, the higher the chances of reaching technical consensus at the expense of silencing or marginalising alternative visions and normative positions (Bernstein 2004, p. 151; Drezner 2007, p. 70). I propose that the contribution of NGOs to standardisation can be matched with these trade-offs according to four archetypal roles: as consultants to intergovernmental bodies widening social representation, as societal/technical representatives in instances of public and multi-stakeholder regulation, and as exclusive knowledge-actors in technical standardisation.

In the following section, the chapter develops these models, roles, and tensions historically, illustrating the variety of civil society actors and NGOs involved in standardisation initiatives since the early 20th century and their relationship with state and corporate actors across different regulatory domains.

Table 24.1 Types of international standardisation

		<i>Input Legitimacy</i>	
		<i>Political</i>	<i>Technical</i>
<i>Output Legitimacy</i>	<i>Political</i>	State-based regulation (NGOs as consultants)	Multi-stakeholder standardisation (NGOs as technical representatives)
	<i>Technical</i>	Public standardisation (NGOs as society representatives)	Technical standardisation (NGOs as expert regulators)

## Engineers, industrialists, and diplomats: the (re)organisation of technical governance

The involvement of civil society groups with technical standardisation responded to the strengthening intertwinement between science, industry, and central technologies behind the second industrial revolution, from electrification and communications to industrial organisation, metallurgy, and transport.<sup>5</sup> As part of this, associations of engineers and scientists became organised into national and international societies seeking to promote knowledge exchange and cooperation across the industrialised world, which, by way of its imperial reach, influenced the rest of the globe (Murphy 1994; Charnovitz 1997; Headrick 1988). Some of these technical associations had markedly professional (and civil) origins, as was the case of the British Standards Institution (BSI), which followed an initiative by London's Tower Bridge designer Sir John Wolfe-Barry and resulted in the formation of the British Standards Committee (BSC) in 1901. Others included corporate elements, as was the case of the American Engineering Standards Committee (AESC), created in 1918 by professional engineering societies seeking to coordinate standardisation activities taking place within industrial firms (Loconto & Busch 2010).

These 'epistemic communities' – often bringing together scientists, aristocrats, business leaders, and diplomats, the most cosmopolitan individuals of the time – were central for the organisation of many of the international technical conferences taking place since the mid-19th century, and the creation of the first International Public Unions (IPUs), the predecessors of modern international organisations. Hence, these efforts resulted in the creation of bodies such as the International Telegraphic Union (ITU, 1865), the International Union of Railway Freight Transportation (1893), and the International Association of Labour Legislation (IALL, 1900), the predecessor of the International Labour Organisation (ILO), among others. Certainly, the shadow of the state – and of business – was never far away, not only as the work conducted by technical societies complemented 'intergovernmental work on weights and measures, money, banking transactions, and various areas of public administration' (Murphy & Yates 2009, p. 11), but also because inventors and commercial developers also had major stakes in standard-setting processes (Büthe 2010b). This presented problems, as state and private actors could collude to maintain (and profit from) standard heterogeneity, and support minimal forms of international compatibility to prioritise national and sectoral preferences (Spruyt 2001).

The tension between these two aspects, national interests and technical considerations, and the increasing politicisation of technical negotiations represented a disquieting development for technical groups advocating a civil and often technocratic vision of international norm-making. These tensions were evident from the start: the founding meeting of the ITU resulted in both a formal international treaty, signed by attending diplomats, and a separate *règlement*, signed by experts (Reinsch 1907, p. 583). In other spheres, civil society actors managed nonetheless to create specialised bodies that excluded governments. The most representative of these was the International Electro-Technical Commission (IEC), founded in 1906 by electrical engineering associations, and generally referred to as the oldest technical standard-setting body in existence. The IEC's model involved 'civil' expert groups voluntarily participating in specialised and decentralised sub-committees setting standards over highly technical questions (Murphy 2015; Büthe 2010a), so that in the words of Paul Agnew (1928, p. 14), first secretary of the AESC, each technical subcommittee was 'essentially a miniature industrial legislature organized upon a subject basis instead of upon a geographical basis'. The IEC can be considered the pioneer organisation representing the transnational 'deliberative



technocratic' model that would influence later governance initiatives, from the ISO (created in 1947), the standard-setting agency par excellence,<sup>6</sup> to sustainability reporting guidelines, such as the Global Reporting Initiative (GRI), and the decentralised networks behind the Open Software Movement (Soderberg 2008; White 1999).

These technical communities shared a strong cosmopolitan ethos based on the universality of scientific knowledge and on the ecumenical benefits technical standardisation carried for societal and economic progress. Scholars have highlighted the techno-progressive spirit behind the 'evangelical engineers' promoting bodies such as the EIC and ISO – two organisations that could be characterised as NGOs of NGOs, at least in their origins. The groups saw themselves as part of a global movement that was 'practical, internationalist, modest, democratic, and process-oriented' (Murphy & Yates 2009, p. 14). Relevantly, this practical orientation was considered rational but also apolitical, differentiating them from more idealistic and purist technical groups, but also from ideological actors, while making them more receptive to new ideas, and more flexible than intergovernmental bodies to respond to new challenges and developments.<sup>7</sup>

The space for civil-technical norm-making would narrow dramatically following WWI and the Soviet Revolution, as labour governance and industrial standards became tightly coupled with matters related to inter- and intra-state stability (Murphy 1994; Silver 2003).<sup>8</sup> While bodies like the IEC managed to successfully defend its civil society character from the encroachment of state interests, most IPUs did not. In this regard, the creation of the League of Nations formalised the nationalisation of global regulation, centralising the organisation of technical conferences and the activities of many international associations and conferences, and the sanctioning of international norms and recommendations. In this sense, in the early 20th century the brief spring of technical standardisation came to a sudden stop, displaced by a state-centric global governance architecture that would remain in place for the next 50 years. In this second period, the role of civil society and technical actors in international standardisation changed: civil society and technical groups, formerly core promoters and norm-entrepreneurs, became peripheral consultants to be granted or denied access to official international fora, such as the United Nations Economic and Social Council (ECOSOC) (Charnovitz 1997).<sup>9</sup> A good example of this is the ILO. While predecessor entities, such as the IALL, were led by legal experts, economists, and Christian social leaders, the ILO was re-founded as a corporatist institution revolving around a tripartite assembly integrated by governments, trade unions, and business representatives.<sup>10</sup> The corporatisation of labour governance, which granted labour a seat in international negotiations, simultaneously excluded other civil society groups previously active in promoting labour-related norms, from women's organisations to religious and radical social movements. More technical agencies like ISO also experienced the nationalisation of their initial civil society membership, as many developing states centralised industrial normalisation in purposely created governmental agencies and institutes, with the consequence that by the 1980s most ISO members were state-sanctioned bodies (Murphy & Yates 2009, p. 21). In this manner, distinct from the corporatist ILO and the technocratic IEC, ISO came to represent a middle ground between state-centred and technical models of standard-setting – what in Table 24.1 is called the 'public standardisation' model – as experts remained central but participation was structured around national delegations supervised by official bodies.<sup>11</sup>

The secondary position of NGOs in global governance lasted well until the 1960s and 70s, albeit some civil society groups could influence developments in two areas with contrasting mixes of political and technical legitimacy (Charnovitz 1987, p. 258). The first was human rights, where some civil society organisations inducted to the intergovernmental negotiations

resulting in the UN International Covenant on Civil and Political Rights of 1966, as well as to other initiatives dealing with world heritage, decolonisation, and refugee matters. The other was nuclear and chemical weapons. Here technical expertise allowed networks of nuclear scientists, organised around groups such as the ‘Pugwash movement’, the International Conferences on Science and World Affairs, and the Stockholm International Peace Research Institute (SIPRI) to influence the position of core states on the design of nuclear control regimes and conventions on chemical and biological weapons (Matousek 2010; Robinson 1998).

Across these initiatives, the universal character of technical knowledge was a strong source of legitimacy for actors working in different social domains. However, although this character possesses a certain civil ethos, expert epistemic communities did not necessarily meet the conventional distinctions separating NGOs from other type of organisations and sectors. Thus, when referring to nuclear arm controllers, Adler (1992, p. 112) considered: ‘They were one community, yet they were everywhere: dispersed among government bureaus, research organizations and laboratories, profit and non-profit organisations, university research centres, and think tanks’. This consideration is far from trivial, as the public model that relegated NGOs to a secondary role within international norm-making would start to unravel in the 1980s and 90s, in the process obscuring distinctions between public, private, and civil society actors.

### **Beyond NGOs? Multi-stakeholder standards and ‘communities of governance’**

The spread of private and multi-stakeholder initiatives, ranging from unilateral codes of conduct to multi-stakeholder certification schemes and public–private partnerships, followed a wave of civil society and media campaigns in the 1980s and 90s against the practices of large corporations, and the recognition of the limited impact of intergovernmental frameworks such as OECD’s ‘Guidelines for Multinational Enterprises’ (1976), the ILO’s ‘Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy’ (1977), and the failed code of conduct for international business initiated by the United Nations Conference on Trade and Development (UNCTAD) (Bartley 2003; Peña 2018; Hale & Held 2011; Rubin 1995). Contrary to intergovernmental and public models, these hybrid initiatives saw coalitions of firms, NGOs, academics, labour, and occasionally state actors, adopting a technical standardisation model to deal with issues exceeding industrial and technical matters, on the basis that ‘standard organizations promise technical expertise without political entanglement’ (Timmermans & Epstein 2010, p. 80; O’Rourke 2003; Nadvi & Waltring 2004; Pattberg 2005; Sahlin-Andersson & Djelic 2006; Bernstein & Cashore 2007; Vogel 2008; Abbott & Snidal 2009). The notion that NGOs and business needed inclusion in global governance regimes was somehow institutionalised with the launch of initiatives such as the UN-led Global Compact in 2000,<sup>12</sup> set to align corporate behaviour with universal principles of human rights, labour, and environmental protection (Kell & Ruggie 1999), and with the growing involvement of ISO in “soft” standards with significant public relevance’ (Clapp 1998, p. 302), first in the area of environmental governance and later in the field of CSR.

However, as new multi-stakeholder initiatives started to engage with issues of significant social and political relevance, establishing a balance between technical competence and political participation became increasingly complicated (Mayer & Gereffi 2010; Vogel 2010; Murphy 2015). This complication extended to civil society, as these initiatives could include more conventional advocacy NGOs motivated by principled beliefs, official sectoral associations acting

in representation of specific constituencies, such as trade unions and consumer groups, technical and professional networks and associations, and an expanding array of GONGOs and BONGOs, government and business-organised NGOs (Abbott & Snidal 2009, pp. 60–61). In these schemes, the role of NGOs as such can no longer be established in an isolated manner: rather, NGOs became part of complex and multi-layered networks, or communities, of governance, where they could occupy more insider (usually technical) positions, or more outsider (political) ones, depending on the rules that govern the system in question (Prakash & Gugerty 2010, p. 299).

In this chapter, I propose that this position depends to a substantial extent on the level of technical closure (or political openness) of the subject matter targeted by a given initiative. Hence, when this subject matter is open to political scrutiny and public debate, civil society actors can more readily wield political legitimacy to gain access and voice in international fora, although in practice, this is expected to favour resourceful and highly institutional NGOs, usually well connected with elite institutions. Now, as the technical character of the issue accentuates, the access/institutionalisation trade-off reverts, with political representation giving way to technical competency considerations. This reduces the opportunity for wide-spectrum NGOs to get involved, but also lowers institutional barriers, benefiting more informal and specialised groups to gain access, such as expert associations.

This political/technical balance can be illustrated by looking at the type of civil society actors involved in multi-stakeholder initiatives emerging in this period. On the one end, for example, we find the board of the Global Compact, a 'high-politics' initiative promoting very general norms and benchmarks for organisations to follow in their activities. Its governance board is composed of CEOs from leading global firms, high representatives of international business and trade union federations, and civil society representatives. The latter, however, are very high profile, of the like of the Managing Director of Transparency International, the Director General of the International Union for the Conservation of Nature (former World Bank), the President of Imagine Africa International (former Secretary General of Amnesty International), and the chairperson of Ethos Institute of Enterprise and Social Responsibility (an influential business-backed Brazilian NGO). When we move towards more specialised initiatives, like the Marine Stewardship Council (MSC), which states that its mission is to provide 'science-based' standards for sustainable fishing, the technical character of the actors involved becomes evident. Still, the MSC's stakeholder council (in 2017) includes individuals associated with international NGOs like the World Wide Fund (WWF), the Pew Charitable Trust, and the Nature Conservancy,<sup>13</sup> but its technical advisory board includes experts associated with the International Council for the Exploration of the Sea, the International Seafood Sustainability Foundation, the Indian Central Marine Fisheries Research Institute, the Institute of Baltic Sea Fisheries, the Forest Stewardship Council (one of the first and most recognised private certification bodies), and individuals attached to private or public research institutions (MSC 2017).

Furthermore, technical and exclusive orientations were noted to be reinforced by an endogenous identity developing among those participating in transnational governance, an identity characterised not so much by sectoral belonging as by normative orientation and organisational knowledge. Hence, individuals and bodies involved in transnational governance initiatives have been noted to emphasise an ideology focused on values of transparency, inclusiveness, and deliberation, plus a preference for multi-sectoral norm-setting structures and market-based implementation mechanisms (Pattberg 2006, p. 725).<sup>14</sup> On this basis, some scholars started to discuss standardisation as a separate domain of transnational action that surpasses private/non-private distinctions, using categories such as 'global public policy networks' (Benner *et al.*

2004), 'organisational field' (Dingwerth & Pattberg 2009), 'transnational communities of practice' (Bartley & Smith 2010), or 'sustainability networks' (Ponte & Cheyns 2013). In this sense, the technical-laden character of standardisation, plus the development of a technocratic multi-sectoral identity, has blurred the classic separation between NGOs and non-NGOs, and the manner in which legitimacy is inputted into these schemes. Participation in these networks is often heavily predicated on the possession of exclusive knowledge resources: insider experience in standardisation processes and bureaucracies, professional and peer recognition, and organisational capacity to boot – which again has favoured well-resourced service-providing Northern NGOs (Benner *et al.* 2004, p. 199; Ponte & Cheyns 2013; Boström & Hallström 2010; Pattberg 2005).<sup>15</sup>

Thus, while in intergovernmental governance and public standardisation the outsider identity of NGOs actors supported arguments about a normative civil society contribution, with NGOs emerging as sectoral advisors or societal advocates, in multi-stakeholder and technical initiatives, the role of NGOs and civil society groups is more ambivalent, as some elite NGOs can exploit their social representative credentials while simultaneously wielding their technical competency to marginalise groups considered exogenous and illegitimate.<sup>16</sup> For critics, this makes private and multi-stakeholder standardisation a sphere suffering from the problems of 'NGO-isation', with transnational harmonisation conflating with technocratic, bureaucratic, and neoliberal rationalities promoted by elite international organisations and transnational firms (Fransen & Kolk 2007; Kerwer 2005). In this sense, it could be considered that standardisation, as a logic of governance, reveals the extent to which conventional definitions of civil society were crafted according to political-normative views of the state and the economy, at least in the tradition of Anglo-Saxon political philosophy (Rucht 2011). However, when approaching civil society from the direction of functional expertise, and the notion of epistemic communities, a strict separation between civil society, state, and the economy can no longer be sustained, questioning the characterisation of NGOs as inclusive non-instrumental actors.

The functioning of standardisation in two different technical domains serves to illustrate this ambiguity further: international accounting standards and internet governance. The first is an interesting case because, while accounting practices affect the interests of very powerful actors, these standards have been developed largely by a non-profit organisation, the International Accounting Standards Board (IASB), which has managed to retain a significant degree of autonomy (Perry & Nölke 2006; Porter 2005; Botzem & Quack 2009). But the IASB achieved this autonomy by becoming a highly technocratic and exclusive body: originally formed by (Anglo-American) professional associations, and for a period operating on a multi-stakeholder format, since 2001 it has mutated into a technical standard-setter run by a 15-member board without any form of democratic accountability or regional representation (Botzem & Dobusch 2012, p. 751). This is possible partly because of the tight institutional coupling that exists in this field between professional bodies, national regulatory agencies (from core countries), and the 'Big Four' accounting firms (PricewaterhouseCoopers, KPMG, Deloitte, and Ernst & Young), who are essentially the sole purveyors of finance and knowledge (and thus of input legitimacy) for regulatory agencies. This tight coupling between experts and practitioners has reinforced a highly autonomous, homogenous, and transnational expert culture, insulating the IASB from external interference while facilitating the displacement of national professional and regulatory bodies (Botzem 2005; Porter 2005).

The case of internet governance is similar albeit it underlines the political/technical duality cutting across civil society configurations. Moreover, this is a field where core regulatory activities are led by hybrid multi-sectoral institutions, such as the Internet Engineering Task Force

(IETF), the Internet Activities Board (IAB), the Internet Corporation for Assigned Names and Numbers (ICANN), and the World Wide Web Consortium (W3C), where civil, corporate, and public distinctions agencies and competencies intertwine in complex forms (Denardis 2009; Murphy 2002). The IETF is perhaps the most intriguing of these bodies: the principal developer of internet protocol standards, it started activities as a group of computer scientists, researchers, and academics supported by the US government, but has since evolved into an open and unincorporated ‘community’ (this is how it defines itself) with no formal membership or conditions of entry (IETF 2017a). Its pragmatic and technocratic regulatory philosophy was famously synthesised in 1992 by David Clark, chair of the IAB, who stated: ‘We reject: kings, presidents, and voting. We believe in: rough consensus and running code’ (Denardis 2009, p. 47).<sup>17</sup> This philosophy aims for a norm-setting process that is ‘as short and simple as possible without sacrificing technical excellence, thorough testing before adoption of a standard, or openness and fairness’ (IETF 2017b).<sup>18</sup>

The IETF’s vision and set-up reflect the input/output legitimacy trade-off at play as standardisation becomes increasingly technical. For scholars such as Denardis (2009, pp. 208–210), this body constitutes one of the best instances of ‘democratic’ standardisation available: it is knowledge-based, deliberative, transparent, and open, certainly more so than public standard-setters such as ISO or ITU which scrutinise participants according to institutional and national membership. At the same time, the IETF is an extremely technocratic body. Active participation requires mastering knowledge in a field where, as with the case of accounting standards, there is significant overlap between the community of governance, ‘high-tech’ knowledge institutions, and the activities of IT and internet giant firms.<sup>19</sup> In practice, this imposes very high barriers to entry for most individual and organisational actors while reinforcing a tight and homogeneous collective identity: in the case of the IETF, mostly US-centred, with no representation of users, and characterised by the libertarian ethos enshrining freedom and efficiency common among programmer communities (Coleman & Golub 2008).<sup>20</sup>

In these two highly technical and closed-off domains, we can see how technical and political legitimacy emerge as orthogonal categories, irrespective of sectoral belonging. These two examples point towards very different assessments of the contribution of NGOs to governance arrangements, and raise questions about the relevance ‘NGO’ as a category has for illuminating pertinent aspects of standardisation and governance: it is hard to see NGOs in a ‘pure’ manner when we are confronted with nested networks involving experts, international bureaucracies, NGOs of sorts, corporate actors, and state offices and regulators. At best, then, if we accept epistemic communities as a civil society category, we could say that non-state actors continue to occupy central roles in the development and promotion of international standards, wielding substantial influence in a diversity of fields. Instead, if we maintain more political and liberal definitions of civil society, the picture is less positive: the more technical certain fields become, the more limited the capacity outsider NGOs have to wield influence as social advocates, and the higher technical identities would displace representative concerns.

## Conclusion

This chapter has discussed the role of civil society actors and NGOs in different moments and initiatives of technical standardisation. It has done so through a framework that considered four archetypal roles played by NGOs, posing the idea that NGO participation can entail a combination of political and technical legitimacy inputs. On this basis, the chapter indicated that, while civil society organisations have had an active history in promoting and supporting different formats of international and transnational regulation, their role and character have changed,

accommodating the general orientation of states and international institutions, and the degree of politicisation/technocratisation of specific themes and arenas. Accordingly, the chapter questions the dominant liberal normative treatment of NGOs and their contribution to international governance, nuancing this according to the tension between two logics at play within modern society. This tension hides strong contradictions that perhaps only become starkly evident in the extreme, in instances of high technocratisation or high politicisation, instances where the conventional (liberal) normative/participatory role attributed to civil society blurs. For instance, let's go back to the case of the IETF. This community, in principle highly rational, transparent, and democratic, treats the inputs of its participants as *individual* contributions: even when most of the experts work for powerful stake-holding organisations, their opinions to the forum are not considered to represent organisational or sectoral interests, but apolitical and individual technical opinions. In a rather Huxleyan fashion, this reminds us that just as in a totalitarian environment there is little space for politics and individual freedoms, in an ideal world of pure technical expertise and rationality, there is little space for participatory claims, cultural identities, and normative disagreements.

In a little-known article (at least according to his later standards), a young Robert Putnam (1977) assessed the rising 'technocratic mentality' found among elites in both capitalist and communist societies.<sup>21</sup> Optimistically, Putnam observed that 'although the future belongs to the technically trained, it needs not belong to the technocrat' (Putnam 1977, p. 409): not only did nothing indicate that experts would concur with each other on the substance of policy, but more importantly, this technocratic turn coincided with a visible secular tendency towards more responsive governance, political equality, and mass political participation. Putnam was not wrong: both technical knowledge and political participation have advanced and now exist as structuring dimensions of contemporary (capitalist) society, more than he could have ever imagined. But whether these tendencies are aligning or diverging remains an open and pressing question, in an era marked by the growing pervasiveness of highly complex expert systems and organisations, the unforeseen political applications of technology, and troublesome grassroots reactions against the authority of elites and technocrats. As a recommendation, scholars of civil society should leave aside axiomatic and orthodox positions to pay greater attention to the rapidly evolving interface between politics, technology, and the economy; to changing values, identities, and interests stemming from new civil society spaces, to regulatory demands and technological advances shaping social interactions, and to the rapidly developing 'knowledges' civil society actors require to have participation, voice, and influence in non-conventional spheres of political action.

## Notes

- 1 To be true, assessments about 'bad' civil society exist, though they are scarce (Chambers & Kopstein 2001; Bob 2012; Prakash & Gugerty 2010).
- 2 In the words of Boli and Thomas (1997, p. 182): 'This is the core of world culture: technical, functional, rationalizing, highly differentiated . . . and peculiarly invisible'. As pointed out by Star and Lampland (2009, p. 11), perhaps a reason for this neglect is that standards are boring, appearing fixed and neutral, and often associated with routine background infrastructures.
- 3 This dual model is of course highly simplistic. In addition to cultural and expertise questions, standards can be set *de facto* by market dynamics (Grindley 2002).
- 4 Habermas struggled to incorporate this possibility, distinguishing between emancipatory 'offensive' and particularistic 'defensive' social movements (Ray 1993, p. 62).
- 5 Spruyt (2001) provides a relevant analysis of standard-setting in pre-modern contexts. This is complemented by Charnovitz's (1997) analysis, which situates the emergence of NGO involvement in international governance in the late 18th century, in relation to issues such as slave trade, workers' solidarity, peace, and free trade.



- 6 ISO currently coordinates hundreds of national standards committees involving around 100,000 participants.
- 7 ‘The division of labour across technical committees reflects the functional differentiation of the world in which standards may be needed and it points to the specific expertise relevant to the field. The inclusion of representatives of all stakeholders and the ideal of decision by consensus help assure that standards are legitimate, and hence, widely adopted. The voluntary nature of standards produced assures that they would not impede innovation; inventors and entrepreneurs are spared the rigidity of autocratic regulation’ (Murphy & Yates 2009, p. 15).
- 8 Scientific internationalism historically developed in tension with scientific nationalism, given the obvious crossovers between physical sciences and military applications, but also due to the very logic of competition embedded in scientific activity (Stroikos 2018).
- 9 This included NGOs as different as the International Federation of Trade Unions, the International Commerce Chamber (ICC), an early promoter of industrial standardisation and international trade, and the Rotary Club, to name a few.
- 10 This reflected both the European post-war paradigm of ‘national welfare capitalism’, and the jealousy of post-war governments to commit to international rules over sensitive questions such as labour (Standing 2008, p. 356).
- 11 This logic has been indicated to generate some problems, as participants were expected ‘to represent a national point of view while at the same time as an expert he or she was expected to be an objective individual’ (Hallström 2004, p. 70).
- 12 Former UN Secretary General Kofi Annan (1998, p. 134) actively promoted this agenda, considering that NGOs and firms had become an ‘operational partner’ of international organisations.
- 13 Alongside representatives from the Australian government, the Norwegian Fishermen’s Association, and Carrefour, among others.
- 14 This ‘pragmatic’ identity shares commonalities with that of the early evangelical engineers behind initiatives such as ISO.
- 15 This even led to the formation of meta-governance bodies, networks of multi-sectoral standardization bodies, International Social and Environmental Accreditation and Labelling (ISEAL), working to normalise the production of standards over certain issues. ISEAL’s full members include the Fair Trade International, the FSC, the MSC, the Rainforest Alliance, and the Roundtable on Sustainable Palm Oil, among others (Fransen 2015).
- 16 Boström and Hallström (2010, p. 54) noted that long-term involvement in multi-stakeholder organisations could generate ideological and identity conflicts among civil society actors, due to clashing demands and logics.
- 17 This was said during a conflict when part of the IETF community opposed the introduction of a standard developed by ISO, considered by IETF members as an intrusion by a ‘politicised’ body.
- 18 Rough consensus means that decisions do not consider majority rules but rather a general sense of agreement/disagreement by a group convenor, while running code points to rapid user uptake.
- 19 For example, current IETF Working Group leaders include the Director of Network Technology for Time Warner, leading engineers in Cisco, Microsoft, Google, and Huawei Technologies, and senior researchers at Bell Laboratories and Trinity College Dublin, among others.
- 20 This spirit is also colourfully summarised in the phrase by Richard Stallman, father of the Open Source Software movement: ‘Free software is a matter of liberty, not price. To understand the concept you should think of free as in free speech, not as in free beer’ (GNU 2018).
- 21 Interestingly, he highlighted a difference between experts trained in natural and technical disciplines, who understood their roles in terms of ‘apolitical expertise’, felt animosity against the political process, and were relatively insensitive to conflicting social interests and issues of distributive justice, and those trained as social scientists, more inclined to affirm the reality of social conflict and the importance of social justice, and to assume markedly political stances as policy advocates.

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# An uncomfortable relationship

## NGOs, trade associations, and the development of industry self-regulation

*Jonathan Doh, Tazeeb Rajwani, and Thomas C. Lawton*

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### Introduction

Previous chapters acknowledged the increased prominence of non-governmental organizations (NGOs) in the global economy. In this chapter, we discuss how a specific form of NGO – the trade or industry association – emerged as an actor in international relations, representing often diverse interests in specific contexts (Rajwani, Lawton, and Phillips, 2015). Recent studies have highlighted how collective action through trade associations impacts business and society more broadly, through their influence on public policy, industry structure, and the nature of competition (Lawton, Rajwani, and Minto, 2017). The consequent interactions between trade associations and other forms of NGOs can be conflictual, collaborative, or both. One mechanism – and outcome – of these interactions is the emergence of private regulatory agreements: standards, codes, and other arrangements through which industry and trade association participants commit to social, environmental, and other goals, often at the urging of and with the support of non-business NGOs. For instance, NGOs like Friends of the Earth and Oxfam became trade association partners to align interests in support of or against specific government policies, standards, legislation, and positions. Despite these interactions and influences, with non-business NGOs serving as agents for sharing information with industry (Rajwani et al., 2015), researchers have devoted little attention to understanding their relevance and how they relate to the development of private self-regulation.

In the spirit of this Handbook, we consider trade associations to be a category of NGO, even if they contain for-profit members. This is in line with UN practice, where one of the first four NGOs it recognized was the International Chamber of Commerce. Consequently, these trade associations have members that are usually composed of companies – or national industries in the case of international associations – or individuals that are interested in socio-political issues. They can also encompass non-profit or non-governmental structures (Rajwani et al., 2015); for instance, the Christian Music Trade Association or the Southeast Asian Council for Food Security and Fair Trade. The benefits of joining a trade association include increased social capital through membership networks; access to knowledge, advice, and expertise; expanded societal engagement and citizenship; and problem sharing (Lawton et al., 2017).

In this chapter, we explore the increased interactions between NGOs and trade associations, especially as they relate to the development of private self-regulation. We begin by surveying the growth and emergence of NGOs and their interactions with business. We then describe the role and relevance of trade associations in public policy-making and self-regulation. We then turn our attention to the interactions between NGOs and trade associations generally, and specifically, in the development of self-regulation.

## **Emerging relationships between NGOs and business**

NGOs have emerged as critical stakeholders in the global economy. NGOs such as Greenpeace, Save the Children, and the World Wide Fund for Nature provide direct services to various groups and interests, while also interacting with government and business to initiate or change policies and programs in response to social and environmental needs (Teegen, Doh, and Vachani, 2004). One estimate puts the number of NGOs globally at more than 10 million. Eight global NGOs (World Vision International, Oxfam International, Save the Children International, Plan International, Médecins Sans Frontières, CARE International, CARITAS International, and ActionAid International) had combined revenue of more than US\$15 billion in 2015 (author calculations).

Corporations increasingly encounter NGOs as expectations grow for companies to improve the social and environmental impacts of their business activities through corporate social responsibility (CSR) initiatives. These encounters can be confrontational or collaborative in nature. In some instances of confrontation, these encounters take the form of campaigns in which NGOs target companies through public statements, proposed boycotts, protests, or other means. These campaigns can be highly effective if other stakeholders, such as senior management, shareholders, and workers, become concerned about the impact of NGO pressure (Yaziji and Doh, 2009). Campaigning groups have been key drivers of inter-governmental negotiations, ranging from the regulation of hazardous wastes to a global ban on land mines and the elimination of slavery.

Simultaneously, NGOs and corporations are also developing more collaborative and positive relationships on the assumption that these connections can yield benefits for both the corporate and NGO participants and the general welfare of the populations of concern to the NGO (Doh and Teegen, 2003). These relationships provide corporations with access to different resources, competencies, and capabilities than those that are otherwise available within their organization or that might result from alliances with for-profit organizations (Hess et al., 2002; Rondinelli and London, 2003).

In response to both pressures for change and opportunities for collaboration, many businesses are broadening their global role to include making positive contributions to social and environmental concerns within the specific scope of their own operations and also more broadly. These actions frequently put businesses in contact with national and local governments, international intergovernmental organizations, other companies, and NGOs. Increasingly, businesses have chosen to collaborate through trade associations with other firms in their industry, supply chain, or geography to pursue public policy and societal initiatives, putting them in direct contact with NGOs.

## **The nature of trade associations**

Boléat (2003) suggests that there are three important common characteristics of trade associations. First, they are member-based organizations whose members are usually other organizations



(for-profit, non-profit, or non-governmental), not individuals. Second, they provide governance and a supportive structure that is representative of their members. Third, they act in the common interest of their members. Boléat (1996, 2003) also provides a fourth characteristic that is frequently seen in larger associations: they act as a representative or collective body, engaging with government regulators and policy-makers, the media, and other opinion formers. Boléat's first three characteristics are commonly observable and generic features of trade associations. The fourth is more variable and contestable as it begins to capture not only nature or form, but also activity and influence.

Some trade associations, such as the Confederation of British Industry or the U.S. Chamber of Commerce, exist to represent all sectors of business in a country. More usually, trade associations represent businesses within a particular sector or industry (May et al., 1998; Tschirhart, 2006). Also known as industry groups and industry associations, they are voluntary associations that combine characteristics of business groups, business interest associations, and interest associations (Carney, 1987; Rajwani et al., 2015; Lawton et al., 2017).

Building on Lyon and Maxwell (2004), we define trade associations as multi-member meta-organizations to which member companies donate money or pay a membership subscription to sustain the association for the greater benefit of the members, the industry, and society more broadly (see Rajwani et al., 2015 and Lawton et al., 2017). This definition is purposely broad to cover the diversity of trade associations that exist, such as the American Car Rental Association, the European Steel Association, Canada's Venture Capital and Private Equity Association, and the Australian Retailers Association. When the members of an industry adopt a unified interest in specific governmental action (or inaction), the trade association can amass and unite tremendous resource with the purpose of influencing governmental outcome (De Figueiredo and De Figueiredo, 2002). At other times, it will focus on the industry and the needs of members.

In political science, collective action theorists have observed that common interests do not necessarily produce collective action (Olson, 1965), particularly when free riders are prevalent. As Drope and Hansen (2009) note in their work, there has been little interest in or emphasis on the relationship between business collective action and patterns of market structures. Yet their work on the political activity of trade associations found evidence supporting the logic of collective action. More specifically, they argue that "concentrated industries are more likely to have politically active associations than more competitive industries" (Drope and Hansen, 2009: 303). The important role of trade associations was first noted by Bentley (1908), who highlighted the influence of trade associations on politics. Subsequent studies tended toward exploring how associations help to facilitate exchange and cooperation among member firms (Olson, 1965; Streeck and Schmitter, 1985; Granovetter, 1995; Barnett et al., 2010). Consequently, research has tended to emphasize member firms rather than trade associations as the primary unit of analysis (Keister, 1998). The political science literature has acknowledged the importance of trade associations and their interests (Pijnenburg, 1998; Richardson, 2000). What is clear from existing political science and management research is the lack of common understanding as to the nature, purpose, and influence of trade associations.

From an institutional perspective, the over-riding purpose of organizational collective action, such as trade associations, is to attempt to change the rules of the game in the collective's favor (DiMaggio, 1988; North, 1991). Intended outcomes include favorable rules and norms on tax, employment practices, environmental impact, and research and development subsidies (Lawrence, 1999). This concurs with King and Lenox's (2000) and Lawton and McGuire's (2003) findings on industry collective action to manage self-regulation. Tucker notes that trade

associations often have a self-regulatory function, embodying shared values, articulating common norms, and coalescing around common interests such as lighter regulation, easier market access, or a more positive media profile (2008: 3). Building on Streeck and Schmitter's (1985) concept of private interest government, Tucker (2008) argues that collective reputation management is a key reason why companies form or join a trade association. Streeck and Schmitter (1985) describe it as an attempt to maximize the overlap between the specific interests (categorical good) of particular groups such as business lobbies, and the broader interests (collective good) of society. The policy bargaining that occurs between public and private interest government helps to define this overlap. Inherently, this involves a close relationship between interest associations and governmental or regulatory authorities and a significant level of policy input from the private interest government actors (Streeck and Schmitter, 1985).

The concept of private interest government implies a partnership between government and other agents of the state and business and their trade association proxies. Such partnerships are neither geographically restricted nor western-centric in nature. See, for example, Park's (2009) discussion of the historical cooperation between business associations and government in the Korean cotton industry. The notion of policy partnership (Mazey and Richardson, 1993; Lawton, 1996; Green Cowles, 2001; Green Cowles et al., 2001) emerges from Richardson and Jordan's (1979) neo-pluralist model of the policy community. They view policy-making as an obscure process, where traditional boundaries between government and interest groups become blurred. Policies are created and controlled through what is described as a myriad of interconnecting, interpenetrating organizations. This, however, has not been widely recognized in the management literature. Trade associations often facilitate the interface between government and industry, enabling the building of mutually beneficial public-private policy partnerships or the construction of more effective self-regulatory regimes.

In the case of socially oriented initiatives such as industry self-regulation, one benefit to collective action through trade associations is the avoidance of free-rider problems. That is, by jointly agreeing to a series of standards and commitments across a group of companies, firms create a fair and even competitive playing field in which no firm bears the burden of costs and investments that are not borne by others.

## **Firm-NGO collective action through trade associations**

Scholarship on collective action has explored questions such as: when do individuals or organizations choose to combine resources to achieve some common goal? And, under what conditions might they contribute resources to projects and activities that transcend the interests of the parties and provide some broader social or economic impacts?

### ***Theories of collective action and private regulation***

Prakash and Potoski (2007) and Potoski and Prakash (2009) proposed a framework for analyzing voluntary coordination among firms designed to generate broader social goods that draws from the economic theory of clubs. They define participation in such institutional clubs as conferring benefits on the members that are not exclusive or rivals; that is, association with a club does not diminish the value others receive from their association. Given the increasing proliferation of such collective action, whether via industry trade associations or cross-sectoral collaboration among companies, governments, and NGOs, they point to the somewhat counterintuitive nature of these combinations, given that the benefits for firms are at least opaque and potentially illusory. The fact that participation in such institutional clubs confers benefits on the members

that are not exclusive or rival provides some of the underlying logic for their proliferation. They suggest that the club approach can help scholars to understand why firms join clubs, why some are more successful than others, and how policy-makers can design such clubs to generate the maximum positive impact.

Potoski and Prakash (2009) emphasize the broad reputational, legitimacy, and brand affiliation benefits that motivate some firms and other organizations to form these voluntary arrangements. Such arrangements allow a firm to affiliate – and benefit from – the reputational and legitimacy benefits that accrue to participating organization who commit to providing social and economic benefits. The empirical analyses in Potoski and Prakash’s work (2009) explore and test various questions related to when and how these voluntary programs are assembled, and what makes them more or less successful from the perspective of benefits accruing to the participants and to the external social and economic recipients. The authors suggest that the interests, contributions, and potential benefits of three groups of organizations are determinative of the form and outcome of these arrangements:

firms that produce social externalities beyond legal requirements and receive the excludable branding benefits that the program offers; program sponsors that establish the program and create mechanisms to ensure participants follow the program rules; and firms’ stakeholders who value the externalities that the participating firms generate and reward them for doing so.

*(Potoski and Prakash, 2009: 21)*

In chapters that explore labor conditions, the diamond, shipping, and accounting industry, and others that focus on NGO participants, a range of experiences have been reported that shape and influence these arrangements.

A related set of studies have explored the conditions under which companies collaborate with governments and/or NGOs (see Doh and Teegen, 2003; Hess et al., 2002; Rondinelli and London, 2003). Sometimes termed social partnerships, collaborative social initiatives, and social alliances, relationships between NGOs and companies comprise an exchange of complementary resources not unlike those that occur in other types of alliances among private sector firms (Pearce and Doh, 2005).

Consistent with the club theory perspective, the growing body of research on cross-sector social interactions (CSSI) argues that cross-sector collaboration between non-profit NGOs, governments, and private companies can generate value for the participants and broader benefits for society (King, 2007; Plowman et al., 2007). This value creation process results from the combinative capabilities that arise when organizations from different sectors contribute and integrate their complementary resources.

This research has theorized around the motivations, dynamics, processes, and outcomes of these interactions, but also identified the natural tensions, frictions, and conflicts that arise (Mair and Martí, 2006; Teegen, Doh, and Vachani, 2004). Some of this work has classified these collaborations as having a staged progression along a collaboration continuum; that is, from philanthropic and transactional to integrative relationships (Austin, 2000; Seitanidi and Ryan, 2007).

One challenge in successful cross-sectoral collaborations is how to best learn and codify learning on an ongoing basis, given that these relationships “must rely on strategic criteria that can both effectively utilize the firm’s existing competencies in intra-sector . . . alliances and develop the new skills needed to make cross-sector . . . alliances succeed” (Rondinelli and London, 2003: 63). The successful impact and survival of these collaborations is greatest when

partners accept adaptive responsibilities and co-design mechanisms for delivering effective solutions to social problems (Seitanidi and Crane, 2008). As collaborations grow progressively more intensive (Rondinelli and London, 2003) or engaged (Austin, 2000), early successes hinge on partners' ability to select "the right partner", their willingness to develop acceptable procedures for cooperating, and their ability to judge relational risks (i.e. the ability of partners to predict with confidence what the potential outcomes of the alliance will be based on past experience; Hardy et al., 2005).

## **Trade associations and NGOs: the concept of industry self-regulation**

Trade associations serve both as advocates for the interests of their members to external audiences such as government policy-makers and broader social stakeholders, as well as providing "club" goods and services to their members (such as group insurance). Increasingly, however, they also engage in private regulation (Prakash and Potoski, 2007) alone or in conjunction with governments and NGOs, an activity that has characteristics of both the external advocacy role and the internal club role.

As trade associations continue to assume roles and responsibilities that were previously the domains of the state and/or non-profit organizations, their influence, responsibility, and scrutiny will grow. In this final section, we summarize some of the actual initiatives among trade and industry associations and NGOs designed to construct self-regulatory regimes. We do not intend to provide a representative sample of these initiatives, but rather some stylized examples of this private regulatory role. We include a model that outlines the potential role and participation for both participants and beneficiaries.

### ***Responsible care***

This was one of the first self-regulatory initiatives promulgated by a trade association in the United States. According to the American Chemistry Council (ACC), since 1988, responsible care has helped ACC member companies enhance their performance, discover new business opportunities, and improve employee safety, the health of the communities in which they operate, and the environment as a whole.

### ***GHG protocol***

Through the work program of the Greenhouse Gas (GHG) Management Working Group, the World Business Council for Sustainable Development (WBCSD) works with member companies to support the implementation of GHG management and reporting practices, and position member companies at the forefront of business in reducing its climate impact. The primary focus area is the further development and implementation of the GHG Protocol, and partnership with World Resources Institute that works with businesses, governments, NGOs, and other stakeholders to develop credible and effective tools for companies to tackle climate change.

### ***Forest Stewardship Council and Sustainable Forestry Initiative***

The Forest Stewardship Council is an international non-profit, multi-stakeholder organization established in 1993 to promote responsible management of the world's forests. It was founded primarily by NGOs. The related Sustainable Forestry Initiative (SFI) is a forest certification standard initiated by forestry companies.

## RTRS

The Roundtable on Responsible Soy (RTRS) is a multi-stakeholder initiative involving the mainstream soy industry, including soy producers and traders, and geared toward responsible production that does not harm nature or people. As a form of trade association, the RTRS increasingly transcends their role as providers of club goods, and advocates for specific political interests. Increasingly, the RTRS engage in self-regulation as a substitute for or complement to traditional public policy. This self-regulation may also spill over into the provision of public/collective goods in the form of improved social and environmental performance that has broader societal benefits.

With all of these examples of self-regulatory initiatives, challenging questions remain about private regulation displacing formal government policy, the potential “charade” of self-regulation as a means to avoid sanction or circumvent more rigorous externally enforced regulation, and the conflicting roles of trade associations. More broadly, loose collectives of companies and temporary collaborative arrangements with governments/NGOs challenge traditional conceptualizations of trade associations as formal, static organizational forms.

## Conclusions

In this chapter, we explored the growing interface between NGOs and business, particularly trade association intermediaries. This relationship has not always been comfortable, as the protagonists started out from very different places, with contrasting strategic intent and stakeholder expectations. However, increasingly these have converged, as NGOs, firms, and trade associations have worked together to develop industry self-regulation across a range of sectors.

Moving forward, these interactions and outcomes need to be further explored. Firstly, an area worth investigating is networks in developing self-regulations in trade associations. This will be worth examining in relation to individual, teams, and organization network levels to understand the different relationship types in creating positive and negative social influence. Secondly, future research could explore the significance of transparent and non-transparent trade associations and how they act responsibly and irresponsibly in their different approaches. Finally, future work may consider the ways in which trade associations establish legitimacy, reputation, and status over time. The findings of further research may challenge some of the assumptions and misunderstandings around the purpose and role of trade associations in the world economy.

With the increasing incidence of private regulation co-developed by NGOs, companies, and trade associations, we anticipate that cooperative arrangements among these three groupings will continue to grow. This may result in greater scrutiny and oversight, and heightened expectations on these partnerships to ensure that they are concurrently meeting the needs of their participants and delivering on broader societal interests.

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# NGOs and global trade

*Erin Hannah and James Scott*

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## Introduction

The relationship between NGOs and the global trade system has been, at times, both fraught and the subject of significant attention. Almost from the moment of its creation, the World Trade Organization (WTO) was subject to protest from civil society. This was most visible when violence erupted onto the streets of Seattle at the 1999 WTO Ministerial Conference, but that clash was just a punctuation in a longer relationship that has been characterised by fractiousness and conflict. Large-scale NGO coalitions have mobilised against numerous aspects of the global trade system, including: the Trade Related Intellectual Property Rights (TRIPs) agreement, its impact on the availability of HIV/AIDS drugs (Thomas, 2002) and its relationship to 'biopiracy' (Arewa, 2006); the General Agreement on Trade in Services and its implications for publicly owned water companies (see [www.gatswatch.org](http://www.gatswatch.org)); the Agreement on Agriculture and how it impacts food security (Hansen-Kuhn, 2011); and many more. The WTO's highest decision-making forum, the biannual ministerial conference, has become a site of regularised civil society theatre.

And yet, this conflictual interaction between segments of civil society and the world trade system is only the most visible part of a much more complex relationship between the WTO and NGOs. The high-profile clashes can blind us to a more nuanced understanding of the role of NGOs within global trade governance, in particular through encouraging a perception that NGOs only influence international politics through protest and grassroots-based advocacy of a socially progressive agenda. This is exacerbated by much of the theoretical debate within global governance, which serves to reinforce these perceptions. However, the characterisation of NGOs as protest and advocacy groups acting as external agents on trade governance belies both the range of organisations that engage with the global trade system and the ways in which many have become 'insiders' to the system. All too often the theoretical lenses that we bring to studying international political economy, though useful in explaining parts of the interaction between NGOs and the trade system, can also serve to narrow our perceptions and impede richer understanding.

This chapter sets out a different approach, constructing a typology of NGOs across four categories of organisation: neoliberal, embedded, transformative and revolutionary. It thereby enables us to see the range of NGOs that engage with the global trade system and, by disaggregating

across the typology, to understand how each type seeks to exert influence within international trade politics. It also allows us to explore how some NGOs are becoming part of the fabric of trade governance rather than acting upon it from an external, independent position. Indeed, we identify NGOs that are becoming quasi-official parts of the trade governance landscape, tasked and funded by states to perform specific functions that enable trade governance to proceed more smoothly. Before we get to this, however, we review the literature on NGOs in the global trade system and the insights that have been generated therein.

## What the literature says

The centrality of NGOs in global trade governance has long been recognised. Scholars have identified three main ways in which to conceive of NGO agency in this field: (i) the role played by NGOs in democratising and enhancing the legitimacy of the WTO; (ii) how NGOs engage in advocacy and normative agenda-setting in global trade governance; and (iii) how the engagement of NGOs with the global trade system is constrained by dominant ideologies and prevailing power dynamics that they are largely unable to question, disrupt or subvert. We look in turn at each of these three strands in more detail.

### *NGOs, democracy and legitimacy*

NGOs are often assumed to be conduits for democracy and social justice, representing the concerns of global citizens and communicating these to those in power (Steffek, Kissling and Nanz, 2008; Erman and Uhlin, 2010; Archibugi and Held, 2011).<sup>1</sup> Most often associated with the cosmopolitan liberal tradition, NGOs are seen in a positive light as agents of change that can contribute to overcoming the democratic deficit within trade governance, mitigating the tendency for trade deals to be negotiated in a secretive manner by an unrepresentative elite (Hopewell, 2015). Key proponents hope that the greater involvement of NGOs ‘could inject values and voice that bolster the moral and democratic legitimacy of global governance’ (Scholte, 2007: 305) – a widely shared aim given the opposition to the WTO regime that erupted in Seattle in 1999. Giving NGOs a voice in the processes of the WTO is argued to be a means of broadening the range of opinions and trade perspectives represented, ensuring greater focus on concerns beyond those of elites and business groups and generating a more democratically legitimate trade system (Ostry, 2001; Williams, 2011).

Five channels have been identified for this improvement to trade governance to take place. First, NGOs help to inform the public through disseminating information and focusing public attention on key areas of concern. Second, NGOs create opportunities and forums for informed citizens to contest and debate policies with those in power. Third, NGOs can help to give voice to marginalised groups that are otherwise overlooked but which may suffer from trade policies. Fourth, NGOs help to bring transparency to the major institutions of global governance as they push for access to information and subsequently communicate this to their networks. And fifth, some NGOs are able to bring crucial issues to public attention through media campaigns, helping to put pressure on decision-makers to respond to public concerns (Hannah, 2016).

The so-called Battle in Seattle of 1999 did much to shape the relationship between NGOs and the WTO. NGOs and other members of global civil society took to the streets to resist the WTO and denounce a global economic system that was seen to be exclusionary and unfair, and producing profound inequalities, environmental destruction and social dislocations worldwide (Gills, 1997; Wilkinson, 2005). In response, and in an effort to stem off a legitimacy crisis, the WTO set in motion an institutional strategy designed to engage NGOs that sought, simultaneously, to:

- 1 promote public understanding of the benefits of trade;
- 2 dissipate civil society hostility towards the WTO and the multilateral trade agenda; and
- 3 preserve an arm's-length relationship between WTO members and civil society groups.

Elsewhere, we take stock of the changing dynamics of WTO–NGO relations since 1999 (Hannah, Scott and Wilkinson, 2017). We show that while the mode of engagement has remained constant – manifest most obviously through the organisation and arrangement of the Public Forum and NGO attendance at ministerial conferences – the institutional strategy has evolved from neutralising critical voices to shoring up the legitimacy of the WTO itself. We also show that the critical character of global civil society has been blunted by its interaction with the WTO, with radical NGOs, in particular, having retreated from engagement over time (Hannah, Janzwood, Scott and Wilkinson, 2018). Consequently, the WTO's engagement with NGOs is in serious need of reform if it is to render multilateral trade governance more democratic, transparent, accountable and responsive to the needs of the world's poorest and most marginalised people.

### ***Advocacy and normative agenda-setting***

NGOs are widely identified within the constructivist literature as playing a role in global normative evolution, particularly as early advocates of new norms and as enforcers of new standards (Keck and Sikkink, 1998; Clark, Friedman and Hochstetler, 1998). As noted elsewhere in this book, through this function NGOs are able to affect the policy preferences of even great powers. As Chayes and Chayes put it,

for all but a few self-isolated nations, sovereignty no longer exists in the freedom of states to act independently, in their perceived self-interest, but in membership in reasonably good standing in the regimes that make up the substance of international life.

(1995: 27)

The complex of norms and socially demanded modes of behaviour form a powerful constraint on the naked pursuit of self-interest and NGOs play an important role in policing those standards.

Within global trade, normative agenda-setting by NGOs has been identified within transnational NGO advocacy and the major public campaigns waged by such networks on aspects of the WTO's remit (Wilkinson, 2005; Williams, 2011). Some scholars evaluate the impact of formal NGO inclusion vis-à-vis the submission of *amicus curiae* briefs to the dispute settlement process and NGO participation in WTO proceedings, public symposia and consultations with the WTO secretariat (Van den Bossche, 2008; Piewitt, 2010). Scholars have also assessed NGOs' influence over the WTO agenda on a number of issues, including trade and health (Sell and Prakash, 2004; Hannah, 2011), the environment (Esty, 1998), labour standards (O'Brien et al, 2000); and development (Wilkinson, 2005). The potential for NGOs to facilitate the construction of global social contracts between global citizens and the WTO has also received some attention (He and Murphy, 2007).

### ***Structures of power***

Critical scholars working from neo-Gramscian, post-structuralist and critical constructivist perspectives have explored the constraining effect of deep-seated structures of power and

entrenched ideas. In pioneering constructivist work, John Ruggie (1975) used the concept of the 'episteme' to understand how ideas are entrenched within the international system. Epistemes are defined as

intersubjective knowledge that adopts the form of human dispositions and practices . . . [encompassing] the way people construe their reality, their basic understanding of the causes of things, their normative beliefs, and their identity, the understanding of self in terms of others.

*(Adler and Bernstein, 2005: 296)*

In many regards, the concept of epistemes is similar to neo-Gramscian Robert Cox's concept of intersubjective meanings, or 'those shared notions of the nature of social relations which tend to perpetuate habits and expectations of behaviour' (Cox, 1996: 98). Epistemes constitute the deepest level of the ideational world. They endow certain privileged actors with the authority to determine valid knowledge or to reproduce the knowledge on which an episteme is based (Hannah, 2011: 181; Hannah, Scott and Trommer, 2015).

These conceptual frameworks have been applied to the WTO by a variety of scholars. Matthew Eagleton-Pierce (2013) uses the work of Bourdieu to examine 'symbolic power' in the global trade system, exploring how particular discourses are used to re(produce) social and political orders. He examines the struggle between orthodox and heterodox views on trade policy and how trade discourse provides a 'conventional wisdom' that reinforces the orthodoxy. Hopewell (2017), Tucker (2014) and Strange (2013) draw from post-structuralist approaches to understand the interaction and discourses employed between NGOs, the WTO secretariat and national delegates and how these reinforce patterns of inclusion and exclusion. Certain NGO concerns and ideas are treated as credible and appropriate, while others are constructed as unacceptable. These studies explore the extent to which NGOs are able to resist power asymmetries within the global system and what forms of knowledge NGOs are able to bring to the discussion.

In neo-Gramscian analyses, NGOs play a central role in resisting the neoliberal order and laying the foundations for a counter-hegemonic bloc that might replace the existing power structures (Gills, 1997). That said, such analyses also highlight the process of transformismo that can occur when critical voices interact with core international organisations such as the WTO, through which criticism is progressively blunted by the assimilation of the critics' language into official discourse, giving the appearance of shared aims and analyses between the organisation and the critical NGO (Paterson, 2009).

Clearly much has been written about the role of NGOs in global trade, some expecting positive impacts and others more sanguine. These three strands of research encapsulate the broad contours of how the extant literature characterises NGO agency and the interaction between NGOs and the global trade system. Each strand highlights important aspects of the behaviour of NGOs and the different roles that they adopt. These valuable insights notwithstanding, NGOs are seen almost exclusively as a set of actors that achieve impact by acting upon other actors, particularly states and international organisations. Much of the literature highlights the role played by NGOs in resisting the dominant neoliberal order, though there is considerable variance across the literature in how successful this is considered to be depending primarily on the theoretical tradition adopted. It is our contention that this misses important dimensions of the role played by NGOs today. To bring greater clarity to the full spectrum of NGO activity within the global trade system, we employ a different approach.

## A typology of NGOs in global trade

NGOs are often assumed to be agents of resistance within global politics, pushing against the pursuit of ever greater liberalisation and the expansion of corporate-friendly governance. However, upon closer inspection it becomes clear that this is true of only a section of the large number of internationally active NGOs working in the field of global trade. One way of understanding the full range of NGOs and their aims is through a stylised typology of resistance (see Hannah, Ryan and Scott, 2017, from which the following draws). We can consider a conceptualisation of NGOs ranging from those that have greatest antipathy to the current order and want to see radical change, through to those that seek to further the neoliberal restructuring of the global system, with various gradations between these poles. One such typology is outlined in Figure 26.1, in which that range is split into four ideal types: Neoliberal NGOs, Embedded Liberal NGOs, Transformative NGOs and Revolutionary NGOs. As ideal types, it is expected that real organisations will not fit perfectly into the categories, and in fact organisations are found to straddle across categories over time and across issue area. Nonetheless, by exploring each type in more detail, as we do below, we get a better sense of the range of NGOs involved in the global trade system and their actions therein.

### *Revolutionary NGOs*

Revolutionary NGOs seek to challenge the epistemic foundations of global trade. That is, they reject some of the fundamental underlying assumptions and normative beliefs about how trade works and what global trade rules should be based on. For example, such organisations may seek to replace the neoliberal order with an ecologist one, or a system that privileges local production over any trade integration. Such organisations are now perhaps rare, but the category of ‘revolutionary NGO’ is a useful tool as one end of the typology. As an abstract ideal-type it helps us both to give order to complex phenomena and to ascertain progress towards the goal of ‘change’ in global trade governance. They tend to seek to influence the global trade system through the provision of analysis and information, particularly drawing from grassroots experiences of marginalised communities, but also utilise direct action as a means for increasing pressure on decision-makers.

This category is particularly relevant when considering the global trade system, as it was the WTO Ministerial Conference in 1999 that propelled the ‘anti-globalisation’ movement to the fore when thousands of demonstrators took to the streets of Seattle. The story of the Seattle confrontation and the collapse of the Ministerial Conference is well known and need not be

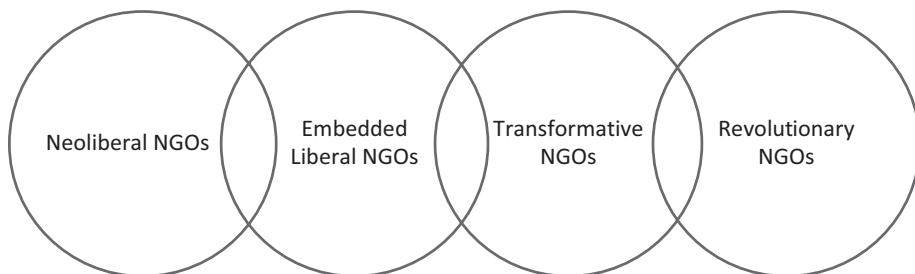


Figure 26.1 Typology of NGOs in global trade

Source: Adapted from Hannah, Ryan and Scott, 2017: 751.

recounted here in detail (see, among many others, McMichael, 2000; Rhagavan, 2000; Bayne, 2000). In brief, a large coalition of civil society actors sought to disrupt the Seattle WTO meeting through mass demonstrations. These turned violent and the streets surrounding the ministerial meeting descended into running battles between protestors and the police. This chaos contributed to, though did not in itself cause, the collapse of the WTO meeting. There was sufficient fractiousness within the meeting to have almost certainly led to the collapse, as numerous developing countries resisted attempts by the rich countries to launch a new round of negotiations and demanded that attention should instead be focused on fixing the inequities of the Uruguay round agreement that had created the WTO. The Conference came to a halt when many African countries walked out, refusing to continue to take part in a process that largely excluded their voices. While this outcome was, hypothetically, likely regardless of the protests, the demonstrators certainly emboldened the delegates resisting the push for a new round.

Those protesting were a broad coalition of NGOs, involving many mainstream organisations but also including numerous more radical organisations that sought to overturn, rather than reform, the WTO system. The label of ‘anti-globalist’ was something that even early on was opposed by many involved, who wanted to see a different *type* of, rather than no, globalisation (Starr and Adams, 2003). This fact subsequently led to the emergence of ‘alter-globalisation’ rather than ‘anti-globalisation’ as the term favoured by such organisations. Nonetheless, there were also groups that pushed for a wholesale rejection of much of the fundamental basis and assumptions behind the WTO. These included indigenous movements that wanted to be able to choose as communities not to engage in orthodox development strategies; groups seeking to defend or rebuild local economic institutions, demanding the right, for example, to prevent the expansion of corporations (particularly the likes of Wal Mart and other major retailers); and movements for radical local autonomy and a delinking from globalisation, such as the Zapatista movement of Mexico (Starr and Adams, 2003). Such organisations rejected aspects of the underlying episteme of the WTO, particularly concerning the importance of markets and the aim of expanding trade, making them revolutionary in the typology described here.

These organisations are no longer actively engaged with the multilateral trade system and have stopped attending WTO events. This is for a variety of reasons. The terrorist attacks of 11 September 2001 changed public perceptions of protest activities, the long stagnation of the WTO’s Doha round of negotiations ensured that little was taking place in the multilateral forum, and other areas that emerged such as climate change and austerity took over as the focus of radical civil society attention. However, the events of Seattle remain a formative moment in NGO engagement with the trade system – and indeed of civil society’s engagement with globalisation more broadly – and led to measures being undertaken by the WTO to manage relations with NGOs in a less antagonistic fashion (Hannah, Scott and Wilkinson, 2017).

### ***Transformative NGOs***

This category perhaps contains many of the organisations that most typically spring to mind when thinking of NGOs operating in the field of global trade. It encompasses those that want to inspire significant change in the pattern, practice and policies of trade governance, typically in a direction that prioritises sustainable developmental or environmental concerns, but, *pace* revolutionary NGOs, in a manner which works within the boundaries of the basic principles on which the WTO is founded. The typical mode of pursuing this change is through the provision of expert knowledge, aimed at both the broad public and trade diplomats, but these organisations also engage in fomenting public pressure on politicians through campaigns and direct action. Transformative NGOs thus strategically leverage their position as experts in trade analysis and

produce new knowledge and ideas aimed at significantly altering ways of thinking or doing in global trade. They challenge prevailing power asymmetries and conventional wisdom concerning, for example, the relationship between trade and development, and resist co-optation by more powerful organisations such as the WTO. These NGOs are often involved in developing counter-narratives around trade that unsettle orthodoxies favoured by the most powerful.

Some prime examples of transformative NGOs in the field of global trade are members of the Our World Is Not For Sale (OWINFS) network. The network is focused on 'fighting the current model of corporate globalization embodied in [the] global trading system. OWINFS is committed to a sustainable, socially just, democratic and accountable multilateral trading system' and is dually involved in organising protest and advocacy around the WTO and generating and disseminating analysis and commentary on ongoing trade negotiations.<sup>2</sup> OWINFS is now the main organiser of political mobilisation at WTO ministerial conferences. Members also participate as insiders advocating for policy change at various platforms organised by the WTO and member states at the annual Public Forum and ministerial conferences. OWINFS is also the main convener of critical NGO panels at WTO Ministerial Conference side events.

Another example includes the global coalition of NGOs that mobilised against water services liberalisation in the context of the General Agreement on Trade in Services (GATS) negotiations. For example, Hannah (2016) takes stock of the role of transformative NGOs in shaping the European Union's (EU's) position in the negotiations. With the creation of GATS, services were shifted out of the purview of national regulatory regimes to market-based rules in the international trade regime and the EU's requests for water services liberalisation, particularly water for human use – the collection, purification and distribution of natural water – in developing and least developed countries, sparked widespread outrage and condemnation among NGOs. Many believe that liberalising water services and opening up water markets to foreign competition constitute full frontal attacks on democracy and basic human rights. The NGO campaign adopted a multi-pronged strategy involving grassroots mobilisation, public demonstrations and rallies, petitions and reports on the potential negative impact of services liberalisation on public services, environment and democracy. In so doing, NGOs educated the public and policymakers alike about the potential, adverse implications of water services liberalisation, gave voice to broader societal concerns about proposed trade deals, and successfully mobilised widespread resistance to water services liberalisation at the municipal, national and EU levels.

Likewise, Matthew Eagleton-Pierce (2015) has shone a light on how certain northern-based NGOs have shifted from being radical outsiders (revolutionary NGOs) to reformist insiders (transformative NGOs) to protest, critique and reshape the purpose of global trade since the 1980s. Applying a Bourdieusian lens, Eagleton-Pierce develops a conceptual framework for studying the gradual emergence of certain NGOs as 'critical technicians', knowledge producers who are seen by those in a position of power to have a credible voice in trade policy but who also advance alternative trade policy strategies that are informed by their social critique of contemporary capitalism centred around notions of global social justice debates. Through a conscious process of learning and adapting to global trade orthodoxy, Eagleton-Pierce shows how such NGOs open inroads into the global trade policy elite and successfully advance a critique from within.

Farther afield from the multilateral trading system, scholars have examined the role of transformative NGOs in shaping preferential and regional trade agreements. Silke Trommer (2014), for example, traces the involvement of a network of West African global justice NGOs, local NGO and movement platforms, and trade unions in the negotiations for an Economic Partnership Agreement with the EU. She finds that once NGOs adopted a strategic advocacy decision to present themselves as trade experts and convey their positions in technical trade language, they



gained access and influence over the negotiating process. Similarly, Del Felice (2014) also finds that certain NGOs deliberately try to break ‘the barriers between legal-technical and popular texts’ in order to gain access to policymaking and to be viewed as legitimate by those in power. Indeed, she observes that activists consciously and purposely reproduced the established ways of communicating inside the technocratic sphere of trade negotiations, while aiming to politicise the issues through more provocative language in the broader public debate. Both Trommer and Del Felice find that NGOs that adopt such instrumentalist strategies have difficulty maintaining autonomy and resisting co-optation. This is where transformative NGOs begin to blend into the next ideal-type – embedded NGOs.

### ***Embedded NGOs***

One further step away from the most revolutionary organisations lies embedded NGOs, among which are to be found some of the most influential NGOs working within global trade. Hannah (2014), drawing from the influential work of Polanyi (1944) and Ruggie (1982), characterises these NGOs as being those working to address global injustices through empowering low-income countries, particularly through providing trade-related expertise situated within an embedded liberal agenda that seeks to reconcile the global market economy with social, developmental and environmental concerns. They offer a particular type of status-quo-preserving insider critique that aims not to disrupt or transform, but rather to build and maintain a socially embedded, liberal international economic order. Their strategy to gain influence is primarily, as with other groups, the provision of knowledge, but this is directed far more to those in positions of power – trade negotiators, civil servants and politicians – rather than to the public at large. Embedded NGOs are less likely than transformative NGOs to engage in fuelling broad public movements, working instead in close connection to those in power.

One example of such an embedded NGO in the world of global trade is the International Centre for Trade and Sustainable Development (ICTSD). This is an NGO that was created in the aftermath of the Uruguay round of General Agreement on Tariffs and Trade (GATT) negotiations in order to provide technical support to developing countries and enable them to participate in trade and environmental negotiations. Though recently and rather suddenly closed, ICTSD came to play a semi-official role in this regard. It was funded primarily by states, with Denmark, the Netherlands, Norway, Sweden and the UK identified as multi-year and core donors (ICTSD, 2018). ICTSD provided a huge amount of expert analysis to developing countries, without which they find it difficult to participate in trade negotiations. Developing countries felt stung by the outcome of the Uruguay round, in which many lacked the technical capacity to follow the negotiation process (and were not invited to the small group meetings anyway), resulting in an agreement that was largely written by the rich countries and which was consequently highly unfavourable to the interests of the developing world (Finger and Nogues, 2002). After the creation of the WTO, they were more forthcoming in preventing the expansion of the agenda into new areas on which they lacked sufficient information. The consensus principle of the WTO means that all member states have a veto (although in practice the less powerful would find it all but impossible to wield that veto if acting alone). When less developed states feel that they are not in a position to participate in negotiations through lack of technical knowledge they have collectively blocked negotiations, as occurred in the 1999 Seattle Ministerial Meeting or more recently with the blocking of negotiations on the Singapore Issues.<sup>3</sup> ICTSD formed part of the solution to his problem, providing expertise in a neutral fashion on items on the trade agenda (see Hannah, Ryan and Scott, 2017). As such, for a number of years it acted as an integral part of the trade system, enabling that system to function properly and facilitating improvements in governance.

Similarly, a German development organisation, Friedrich Ebert Stiftung (FES), has emerged as an embedded NGO working to smooth the functioning of the multilateral trade system. It has developed a long-term partnership with the WTO to deliver a programme of outreach and training to civil society, primarily within the developing world but also in key other regions such as Eastern Europe. This partnership has provided resources for the WTO's external relations department to hold training events jointly with FES both in Geneva and around the developing world. These sessions are designed for NGOs and media organisations as a means of providing information on what the WTO does, where the negotiations stand and how the trade system functions. For example, in April 2014 one such event was held in Geneva concerning 'Challenges and Potentials for Post-Soviet Countries' as these countries joined the WTO (FES, 2014a). More regular meetings have been held in a similar vein, the most recent being the East Africa and Multilateral Trade Regional Dialogue, held in Nairobi in November 2014, which aimed at enabling participants 'to better understand the WTO and its role in the international trading system' through providing 'a platform for in-depth and critical discussion of the multi-lateral trading regime and its consequences for development in East Africa' (FES, 2014b). This event was the latest in a regular series of such meetings that have been undertaken with a view both to increasing the capacity of civil society in developing countries and encouraging them to engage with WTO matters. These meetings started early on following the WTO's creation and have been organised on a regional basis to access as many developing countries as possible, with recent such dialogues being held in Jakarta (2013) and Egypt (2009), while other years see events in Geneva targeted at journalists from Sub-Saharan Africa (2012) or Latin America (2011).<sup>4</sup> The aim of this joint programme of events is to provide both an introduction to what the WTO is about and a platform for more critical voices to comment.<sup>5</sup>

Trademark East Africa (TMEA) is another embedded NGO; a not-for-profit, aid-for-trade organisation, established with the aim of increasing economic growth and prosperity in East Africa through increased trade. TMEA uses official development assistance provided by several key donors, including the UK, Belgium, Canada, Denmark, Finland, Netherlands, Norway and the United States, to build partnerships with local organisations and implement innovative projects aimed at promoting cross-border trade.<sup>6</sup> For example, the TMEA Women and Trade programme was begun in 2015 and is funded by \$4.5 million USD from the Netherlands. The programme is aimed at promoting trade facilitation and cross-border trade by identifying and addressing the existing gender-based constraints that limit women's ability to participate in cross-border trade. In partnership with local NGOs, TMEA seeks to train women traders, increase their knowledge of East Africa Community border and export procedures, and support women traders to form and register regional cooperatives. The programme also engages border customs officials in policy dialogue and capacity development with the aim of adopting a cross-border trade charter.<sup>7</sup> The purpose of these micro-interventions, and capacity building and knowledge transfer, is to deliver aid-for-trade in ways that enhance the competitiveness of East African entrepreneurs and support trade as a driver of economic growth and prosperity.

The role of such embedded NGOs suggests that it may increasingly be more useful to look at international organisations through the lens of *function* rather than *form*. These NGOs are not performing the kind of roles that traditionally we associate with NGOs in global governance, outlined at the start of this chapter. They are integral to the processes of global governance, rather than acting on it from an external position, and could be said to look more like IGOs in the governance functions they perform. The embedded NGO category suggests the need to rethink old theoretical assumptions.

## ***Neoliberal NGOs***

There are, as noted above, prevalent assumptions about what type of actors NGOs are within global trade, portraying them all too often as necessarily 'progressive' and committed to broader social and environmental values. This is, however, problematic (see Edwards and Hulme, 1996; Hannah, 2016). To account for the full range of NGOs in global trade governance we must also recognise and create analytical space for the often-overlooked organisations that are committed to furthering the neoliberal agenda and corporate-led globalisation. Such NGOs support the trade liberalisation agenda and the deepening of global rules that facilitate corporate expansion and cross-border flows.

A prevalent section of this group is formed of influential free-market think tanks, including the Adam Smith Institute (UK), American Enterprise Institute (US), Free Enterprise Institute (US), Institute of Economic Affairs (UK) and Fraser Institute (Canada). Such organisations provide analysis and policy papers that feed into trade negotiations in line with the free-market principles underlying the global trade system. Neoliberal NGOs do not simply support the WTO and are at times critical of its rules and procedures (e.g. Sally, 2008). The WTO, of course, is not an unequivocally free-trade organisation, most notably sanctioning billions of dollars annually in agricultural support. Naturally, neoliberal NGOs support reform of this market interference and support WTO movement in that direction (for example, Glauber, 2018).

Businesses also directly form groups to advance their interests, most notably through the various national and international chambers of commerce and through sector-specific confederations such as the Confederation of European Union Food and Drink Industries and the Dairy Farmers of Canada. Such business groups form a growing component of civil society groups engaging with the WTO through the Public Forum, both as attendees and as panellists (Hannah et al., 2018: 130, 136). The most prominent is the International Chamber of Commerce (ICC), representing six million businesses from around the world, which has advocated a deepening of the trade agenda into so-called twenty-first-century issues such as investment, trade facilitation and services, framed around the desire to encourage global value chains (ICC, 2013). Such organisations engage with elements of a progressive trade agenda, such as environmental protection, but this is approached exclusively through the advocacy of market-based solutions and greater trade integration (e.g. ICC, 2013: 9–10).

Neoliberal NGOs, like embedded NGOs, tend to operate primarily through the provision of knowledge and expert analysis. This is usually targeted chiefly at those in positions of power, such as politicians and the media, rather than towards the 'grass roots'. Such organisations often enjoy a revolving door with politics and senior civil service positions. Perhaps unsurprisingly given this increasing intertwining of business interests with political structures, combined with the general ideological shift towards neoliberalism within many states, neoliberal NGOs have been highly effective at setting the global trade agenda. That said, more critical NGOs in the groups examined above have shown an increasing ability to block aspects of that agenda.

## **Conclusion**

This chapter has sought to map the universe of NGOs operating in the field of global trade. While the examples are certainly not exhaustive, the objective was to provide a more thorough account of the conceptual terrain occupied by NGOs than is often portrayed in the global governance literature. Indeed, conventional wisdom tends to treat NGOs as agents of grassroots, normative change and as conduits for democracy and social justice acting upon the states and institutions of global governance.

Even the range of more critical perspectives sees NGO activity as primarily tied with opposition to global governance and its neoliberal elements. While tremendous insights have been made over the past twenty-five years by examining the democratic, normative and transformative dimensions of NGO agency in global governance, these approaches offer only a partial understanding of the relationship between NGOs and global trade governance. In order to fill the gap, we offered a typology of NGOs in the field of global trade – neoliberal, embedded, transformative and revolutionary – showcasing the variegation of activities often neglected in the extant literature on NGO and global governance. In so doing, we shine conceptual light on the idea that NGOs are often part of the fabric of global trade governance, operating from within the halls of power, and sometimes to cement dominant ways of thinking and doing. Contrary to conventional wisdom, NGOs are not always agents of resistance and normative change in global trade governance.

## Notes

- 1 In fact, the assumption that NGOs represent the interests of the ‘grass-roots’ is problematic, as will be explored in more detail below.
- 2 <http://notforsale.mayfirst.org/en/about>.
- 3 The Singapore Issues – so called because they were provisionally introduced to the WTO agenda at the 1996 Singapore Ministerial Conference – consisted of trade facilitation, government procurement, investment and competition policy. All but trade facilitation were subsequently dropped from the agenda in 2004 when many developing countries refused to negotiate on them.
- 4 For details, see the FES events archive at [www.fes-globalization.org/geneva/events\\_archive.htm](http://www.fes-globalization.org/geneva/events_archive.htm).
- 5 Based on observation by authors of Nairobi 2014 regional dialogue.
- 6 For details see [www.trademarka.com](http://www.trademarka.com).
- 7 Details of the TMEA gender and trade projects are available here: <https://gender.trademarka.com>.

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# NGOs and professions

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## Introduction

Professional associations apparently still remain a neglected research object in the social sciences (Carr-Saunders and Wilson, 1933; Freidson, 1986; Halliday, 1987; Greenwood et al., 2002) despite being possibly the oldest, most financially autonomous, professionalised, varied and one of the faster-growing contemporary non-governmental organisations (NGOs).

When Robert D. Putnam (2000) wrote the famous book *Bowling Alone*, in which he states that America has been losing association members, the only exception seemed to be professional associations. In Putnam's own words: 'Here at least, it seems, we find welling up unshaken in the late twentieth century America's Tocquevillean energies' (2000: 83). According to this political scientist, the number of professional organisations has doubled in the last four decades, here referring to the latter half of the twentieth century. This furthermore means that one encounters not only more associations but also higher rates and levels of membership. The high level of association representativeness turns them into powerful interest groups.

With their origins in the medieval craft guilds according to some authors (Krause, 1996), many professional associations now perform an influential role on behalf of the public interest (Halliday, 1987). As the formal organisation entitled to act on behalf of the respective professions, professional associations establish, sustain and alter the official frameworks for professional activities (Freidson, 1986). Nevertheless, their contributions to modern societies reach beyond their monopolies over given areas of work and are now in fact ambiguous (Halliday, 1987), as professions pursue 'simultaneously altruistic and egotistic goals' (Jarusch, 1990: 219). In fact, the 'profession' word is reserved to particular groups of occupations performing technical tasks in the public interest, with prestige and high qualification levels, with legal protection and regulated by a professional association with sanctioning powers (Wilensky, 1964); doctors and lawyers are the first to come to mind. Thus, in this sense, we may state that professions contribute towards improving knowledge and comfort/security levels, while also taking advantage of such knowledge through, for example, creating deadly machines (Jarusch, 1990). In this sense, as Carr-Saunders and Wilson point out: 'The establishment of a right relationship between knowledge and power is the central problem of modern democracy' (1933: 485).



Together with trade unions, professional associations are the most important NGOs, supported by their own fee revenues and engaging more full-time employees and volunteering according to the Johns Hopkins Comparative Nonprofit Sector Project (JHCNSP) (Salamon, 2003). Thus, professional associations are the least dependent NGOs (Smith et al., 2016) and thus we may conclude that professional associations rank among the most professionalised NGOs worldwide throughout the period of what the JHCNSP team term the 'global associational revolution' (Salamon et al., 2003: 1). We would note that this unprecedented comparative research project, implemented in the early years of this century, involved more than forty countries within the aim of assessing the economic weight of nonprofit organisations around the world.

In this chapter, we discuss the variety of professional associations, particularly referencing the most important types, the self-regulating bodies, and the international professional associations as organisations with an increasingly prominent role in regulation. We then highlight some of the contemporary challenges professional associations face: the emergence of new professional associations based on interprofessional interactions, the role of supranational governance agencies in professionalisation, the difficulties raised by international labour organisations and the consequences of new public management to professional surveillance.

## Professional associations

Despite the disbelieving perspective of Harold L. Wilensky (1964), the development of both knowledge and qualified people contributed towards increasing not only the semi-professions but also the professions, and consequently raised the number of professional associations. In his article 'The Professionalisation of Everyone?', one of the most frequently quoted papers in the field of sociology of professions, the aforementioned American author considers this trend more of a 'sociological romance' (1964: 156). Furthermore, he maintains that very few occupations would ever achieve professional authority even while accepting the existence of deviations from the historic process themselves explained primarily by power struggles and striving for status. In fact, while the typical process for what get termed the established professions involve professionalisation processes going through several stages and culminating in the launching of a professional association, this has never prevented other forms of 'social closure' (Freidson, 1986). The results include the existence of various types of professional associations, some 'hybrid' in type. In practice they border more closely on other types of associations, such as business organisations or trade unions (Wilensky, 1964; Burrage and Torstendahl, 1990; Smith et al., 2016).

There are, indeed, different motivations driving the founding of professional associations, hence also explaining why they display considerable variety even though the boundaries of professions remain stable. In fact, we may easily identify professional associations with different legal forms, regional natures and 'sub-craft' compositions, among other criteria (Carr-Saunders and Wilson, 1933). This diversity has in many cases been determined by historic causes (Sokolov, 2015) and feasibly constitutes a key reason why monographs accounting for the history of one specific professional association proliferate to a far greater extent than comparative studies on professional associations.

The scarce literature on professional associations primarily refers to the Anglo-Saxon context to the detriment of other regions of the world. There is scant research on dictatorial countries, for instance. One of the few studies on these contexts belongs to Welfel and Kamusch (2012). It focuses on the psychologists and reaches the conclusion that wherever governments are autocratic and dictatorial, and economies are unstable, the psychologist profession largely remains invisible and without any formal governmental recognition. At the same time, the models of psychological practices in the United States and Western Europe seem to generate the dominant forces in ethical standards, for instance.

Although we may encounter everything from dining clubs to learned societies among the professional association types, the most prominent is the professional association with self-regulating powers. The state is driven to delegate its regulatory function because of the clientele profile and the characteristics of the services provided, which are complex and deal with human lives and assets. Thus, the regulated professions, such as doctors, lawyers and engineers, among others, are organised through associations with their missions spanning controls over access to and exit from the market, market competition and organisation, and its payment system (Moran and Wood, 1993).

The state engages more in the regulation of certain activities than others in keeping with considerations as to the valuations and costs attributed to the respective activity. This means the state usually supervises the health sector, for instance, because of the high risk that unqualified practitioners will cause severe and costly harm to human lives (Moran and Wood, 1993). How the state does or does not delegate regulatory authority to professional bodies and turns them into organs of the state depends on the national political structure (Moran and Wood, 1993), the profession and the particular national history (Carr-Saunders and Wilson, 1933; Moran and Wood, 1993; Rego, 2013).

The regulatory role that professional associations play in our societies leads to their occasional classification alongside other types of associations, such as trade unions and business or employer organisations. This broader group of NGOs has been classified as occupational-economic associations (Smith et al., 2016).

However, there should be no confusion of professional associations with trade unions or business/employer organisations. On the one hand, professional associations control access to a specific profession and the professional standards thereafter, focusing on the development of tasks based on complex knowledge. Thus, their mission does not extend to addressing economic development. On the other hand, trade unions, for instance, focus on the relationship between the employee and the employer, and deploy collective bargaining to jointly decide alongside employer representatives on issues such as wages and working conditions; consequently, their relations with the management of the work organisation are structural to their actions. In sum, professional associations may perform self-regulating functions in professional markets based on expertise, while trade unions or business/employer organisations are key players in the regulation of labour markets in democratic societies focusing on labour relations.

In practice, professional associations may verge on trade unions and long-standing interactions lead to mutual influences (Alexander, 1980), even while these relationships between professional associations and trade unions can be viewed as incompatible. It is the respective occupation that determines the differences between these two types of organisations (Hovekamp, 1997), with some occupations mixing missions while others keep them separate. In fact, both professional associations and trade unions hold the potential to affect the occupational status and promote internal unity, for instance (Hovekamp, 1997).

The incompatibility of professional association and trade union missions is reflected in legal terms. For instance, the capacities of trade unions, such as the right to strike, fall beyond the scope of professional associations and their abilities, such as authorising individuals to practise the profession through enrolling in the association, which cannot be performed by trade unions (with a few exceptions). Considering this incompatibility has long been pointed out in the literature, we may note how some authors relate this to the different sociological compositions of memberships or the social status enjoyed (Alexander, 1980) but we should also be aware that individuals may be affiliated to both types of associations. Doctors, for instance, are increasingly working as employees rather than independent professionals and are thus commonly registered in a professional association with self-regulating power and simultaneously affiliated with a trade union.

## Self-regulating bodies

The diversity of professional associations extends to self-regulating bodies. While in professional associations without self-regulating powers, membership especially represents a sign of peer recognition, a means of sharing the profession's identity, of accessing professional knowledge, networking and returning diverse tangible benefits, professional associations with self-regulating powers first and foremost represent access to the professional market.

Considering the professional self-regulating bodies in particular, we may find different patterns across countries. In any case, actually within the same country, and especially over the course of time, some occupations may hold a self-regulating association which does not fit with the model otherwise prevailing in the country. As Moran and Wood state: 'There is no single "model" of regulation – and the pattern in any one country is certainly not the only model' (1993: 19). Regulation thus constitutes a political process that does not only rely on technical matters but rather results from negotiations ongoing between occupational group representatives and the state. As Moran and Wood (1993) also say, 'Regulation is political' (1993: 27). And what seems especially relevant is that those professional associations with self-regulating powers and memberships play important political roles in keeping with how they represent the established professions. They have to be consulted before the state decides. This is the case, for instance, in the implementation of new sector policy or on setting up a new self-regulating professional body (Rego, 2013).

In fact, we may add there are two broad ways of organising professional regulation through professional associations: independent self-regulation and state-sanctioned self-regulation (Moran and Wood, 1993). We would note that one might also mention state-administered regulation as a third professional regulation type but such cases broadly encapsulate the simple registration of low-qualified occupations, such as taxi-drivers, thus engaging neither professionals nor professional associations.

While independent self-regulation remains rare, found for instance in sporting associations, state-sanctioned self-regulation is widespread. This practice nevertheless reveals complex behaviours that interrelate with state configurations, the dominant role of universities or client influences, for instance (Brock et al., 2001). While in Anglo-Saxon countries, such as the US or the UK, professional association boards may be composed of professionals and other experts with non-collegiate functioning, in other countries, for example in Western and Southern European countries, Canada or Brazil, professional associations imply membership, thus simultaneously incorporating regulative and representative functions (Rego, 2013).

Within this scope, we may note that, aware of how the diversity in professional standards might generate obstacles to circulating within the single market, the European Union set up an online platform providing information on the requirements for professional registration in another country, specifically detailing, whenever the case, the professional associations responsible. On this European-regulated professions database (<http://ec.europa.eu/growth/tools-databases/regprof>), we find, for instance, that the UK leads the way as the most important host country, representing 25% of all migrant professionals, with doctors the most mobile profession in this European region.

Now, the fact that professional association membership is mandatory in some countries for accessing professional markets usually leads to the high representation rates that turn these organisations into powerful mobilisation actors. In fact, ambiguous interests may lead this particular type of professional association to be an obstacle to political decision-makers (Rego, 2013). Furthermore, these professional associations with self-regulating power and based on membership usually enjoy a great level of prestige. Hence, we may state that behind any self-regulating professional association there usually is an occupational group leveraging pressure to

achieve that legal status (Rego, 2013). Despite the significant number of occupational groups applying such pressures, the number of professional bodies usually remains low in order to maintain the social status of members having passed competence tests, thus contributing to the association's own prestige (Carr-Saunders and Wilson, 1933).

In this sense, professional associations, in particular those with self-regulating powers, cannot be considered as neutral even while this is their formal designation. Arab countries, for instance, despite only scarce research being available, do provide evidence on how the relationship with the state varies according to regime (Moore and Salloukh, 2007). Additionally, Konrad H. Jarausch (1990) sets out a good historic example of the engagement of lawyers with the Nazi regime when detailing the Bar's direct line to the Ministry: 'Perhaps the most dramatic conception of professionalism in the twentieth century was the evolution of German professionals from internationally respected experts to accessories to Nazi crimes' (1990: vii).

Questioning the 'broader altruism ethos', Mike Saks (1995) considers that professional group strategies may serve their own interests at the expense of the public interest and demonstrates this with the case of the British medical profession's reception of acupuncture for more than a century. Saks conveys how self-interest reflects the most plausible argument for the two-centuries-long rejection of acupuncture in Britain.

Self-interest may also lead to professional incompetence getting covered up. As Louise Fitzgerald explains:

Professions may act as self-interest groups who have negotiated with the state to control and set entry standards; thus maintaining status and income and excluding others. Self-regulation may lead to a lack of transparency which may hide poor performance by some individuals.

*(2016: 192)*

In the same sense, Eliot Freidson (1986) had already noted that few professional associations either deploy the infrastructures or indeed even search for violations, never mind going on to implement effective sanctions. One must note that ethical surveillance must imply sanctions which, in some cases, necessarily lead to the compulsory exiting of the professional market. In fact, the ethics code is the tool for guiding not only access to the respective profession but also performances, regulating relations with clients and among professionals.

## **International professional associations**

In the 1990s, Julia Evetts (1995) addressed for the first time the role of international professional associations as possibly evolving to become self-regulating organisations in the future. According to the British author, the internationalisation of professional regulation was becoming a significant issue and we should not only consider the trend towards deregulation in national markets, but also the reregulation ongoing at an international level. However, very little is currently known about efforts to develop transnational professional communities and deal with such contemporary challenges (Wrede, 2012).

By definition, international professional associations reach beyond national barriers and it thus comes as no surprise that they broadly appeared around the mid-twentieth century in contrast with the mid-nineteenth-century origins of national professional associations in Western societies. However, they seemed to experience an important surge both in numbers and especially in significance towards the end of the twentieth century (Evetts, 1995). They are made up of the national professional associations with which they negotiate their responses to processes of internationalisation (Evetts, 1995; Faulconbridge and Muzio, 2011).

One illustration of these organisations is the European Federation of National Engineering Associations (FEANI) ([www.feani.org](http://www.feani.org)), founded in 1951 and representing thirty-four countries. This European professional association has been awarded a certificate, the EurIng, since 1987. The EurIng was praised by the European Commission that held it up as a model for other groups. This stipulates at least seven years of education and training, plus experience and the agreement to observe the professional code of conduct. In fact, as Evetts (1995) demonstrates, the EurIng is an attempt to prevent international disputes and disagreements over the minimum acceptable levels of education, training and experience.

A more recent example comes with the European Federation of Geologists (EFG) (<http://eurogeologists.eu>), founded in 1986 and today representing twenty-six countries. This European association has also been provided the European Geologist certification, the EurGeol, since 2011. The EurGeol implies the holder has achieved not less than eight years of suitable academic training and a level of professional experience, skill and competence to perform tasks within the scope of accepted professional practices. This also means that the holder undertakes to continue with education and training and to demonstrate a personal commitment to keeping up to date and informed within this professional working sphere. This title, which stems from a bottom-up initiative, not only overcomes the diversity prevailing among European member states but also enables professional mobility worldwide.

We might also stress other international professional association initiatives, such as the agreement on the 'European lawyer' statute, a common professional standard implemented by the Council of Bars and Law Societies in Europe, or the provision of continuing professional education, such as the continuous professional development system run by the International Union of Architects (Faulconbridge and Muzio, 2011). However, as Allsop et al. (2009) detail through evidence for four professions, there are differences among professions in the level of transnational harmonisation. In this sense, while professional associations play an important role in promoting the mobility of engineers, professional associations seem to have encountered serious barriers as regards psychologists (Allsop et al., 2009).

The European Union set up and runs the Transparency Register (<http://ec.europa.eu/transparencyregister>), a European database of lobbyists that currently lists a total of 11,629 entrances, half of which belong to the category of 'In-house lobbyists and trade/business/professional associations'. We would also point out that this database also includes national professional associations, such as the British Association of Chartered Certified Accountants and the German engineers' organisation Verband Beratender Ingenieure. This database does seem to contribute to proper assessments of professional association influences over the European Commission, which from an analytical point of view provides clear evidence that professional associations are not only assuming roles of advocacy but also actively lobbying. Although still only playing consultative and advisory roles, international professional associations are increasingly actors in the institutionalisation of new professional jurisdictions and in the reregulation of professional service markets (Evetts, 1995). According to Evetts (1995), there are three main reasons for international professional associations attempting to raise their influence, especially as regards the European level. First, considering the tensions between national and supranational jurisdictions, to guarantee their influence, national bodies now have to put emphasis on international professional associations. The limitations of supranational normative frameworks leave the ground open for direct negotiations between professional representatives, thus under the auspices of international professional associations, the standardisation of working practices is taking place. Furthermore, while European directives are perceived as intrusive to national jurisdictions, agreements produced by fellow professionals at international professional associations are more likely to produce consensus, especially

when they derive from experienced professional practitioners, those Terence C. Halliday (1987) called the 'elite' professional associations.

While this internationalisation of professional associations is obvious in the European context, it is no less important at the global level. In this sense, one could consult the professional associations registered on the database of the United Nations Department of Economic and Social Affairs. In fact, among the 5,000 NGOs, with both national and international structures, there are also professional associations registered with a consultative status by its Economic and Social Council (<http://csonet.org>). The Union Internationale des Architectes (UIA – <http://apaw.uia-architectes.org>), for instance, founded in 1948, in Paris, was accredited to the Economic and Social Council of the United Nations in 1949, when there were only ninety organisations registered (Vago, 1998). This international professional association had, just a few years earlier, succeeded in gaining UNESCO recognition of architecture as similar to heritage. Furthermore, in its fiftieth anniversary commemorative book, the UIA was already planning to wield influence within the framework of the World Trade Organisation (Vago, 1998). We may also put forward other possible examples. These would include the Association of Medical Doctors of Asia (AMDA – [www.amdainternational.com](http://www.amdainternational.com)), launched in 1984, in Japan, with the aim of providing professional humanitarian support in disasters, and today counting professionals from India or Indonesia among its board members; or Reporters Sans Frontières (RSF – <https://rsf.org>), founded in the same year, driven by the desire to defend the free press around the world and playing an important role in denouncing the assassination of journalists. While first set up in Paris in 1985, the RSF today has offices not only in Europe but also in the US and Brazil. These cases illustrate how professional associations also tend nowadays to assume an international scale, deploying expertise in the service of a cause that extends beyond national boundaries, including the defence of fellow professionals.

Professional associations are reacting to globalisation, assuming new roles with transnational dimensions. This reveals how professional associations now need to be considered as potentially attaining international dimensions and capabilities as part of a broader shift towards transnational markets and international divisions of labour (Evetts, 1995). In fact, when professional associations provide standard conditions for international mobility, for instance, we may therefore affirm 'that the nation-state is no longer the only scale at which access to the profession or professional standards are controlled' (Faulconbridge and Muzio, 2011: 142).

As Greenwood and others (2002) stress in their highly quoted paper 'Theorizing Change: The Role of Professional Associations in the Transformation of Institutionalized Fields', professional associations play an important role in reproducing rules and assuring compliance but also in building upon older institutional practices, endorsing innovations and shaping their diffusion. In this sense, professional associations seem particularly sensitive to market pressures and their role correspondingly changes and evolves over time (Greenwood et al., 2002), with globalisation certainly providing an important driver of change.

## Contemporary challenges

Globalisation has been subject to widespread analysis as regards business corporations, the entertainment industries, communications and the arts; but its significance for professional services has received less attention. Nevertheless, professional service markets are increasingly international in keeping with the advance of globalisation. At the same time, knowledge development is driving different professionals to work together on problem-solving in complementary ways (Laffin and Entwistle, 2000). Other contemporary phenomena might also be highlighted, such as the growth of technology for accessing information, but globalisation and interdisciplinarity arguably represent the two most important drivers of the new challenges facing the professions.



These challenges stir the debates around the ‘deprofessionalisation’ of professions (Freidson, 1986; Brock et al., 2001). Some authors argue that the professions have lost power, in the sense they are now trailing and no longer leading (Laffin and Entwistle, 1999). This is happening not only because of rising levels of client education and greater questioning of authority but also because other occupations are eating into and undermining the monopolies held by the established professions. In this new stage of the debate, contrary to that put forward by Freidson in the 1980s, there are different conditions for professionals to apply pressure over allocating resources and balancing the lack of power due to the standardisation and routinisation of knowledge. This ‘proletarianisation’ of professionals (Brock et al., 2001) has now advanced further in the international context and shaken the power boundaries of professional associations.

While some authors draw attention to the ways some professional associations seem to be reacting, by adopting merger and alliances strategies, or by more closely adopting pressure group-type behaviours, others point out how they are unable to regulate transnational work effectively (Adams, 2017). Moreover, the debate also highlights how the absence of professional control facilitates professional misconduct even while some critics already consider that professional associations are failing to protect the public from professional misconduct at the national level (Adams, 2017). The case of accountants who have been held responsible for the 2007–2008 crisis from the United States to Nigeria would seem quite evident (Bakre, 2007; Adams, 2017).

Therefore, we here highlight four contemporary challenges that, although not having the same impact across professions and countries, do constitute strong trends shaping professional associations as the representatives of professions: the international transdisciplinary associations which are spilling over not only national but also disciplinary boundaries, and providing standards for emerging problems; global corporations which bring together professionals from distinct nationalities and academic fields, among other facets, providing their own ethical controls; supranational governance agencies oriented towards problem-solving, sometimes running against the interests of professions and their associations; and finally, the new public management, which underlines the proletarianisation thesis of professions, has advanced in the wake of the recent global financial crisis.

### ***Interprofessional associations***

A new trend is currently emerging from the perception that knowledge production should be more closely oriented towards problem-solving and extends beyond disciplinary and subject boundaries. This ‘revolution’, as Laffin and Entwistle (1999) term it, corresponds to a cross-fertilisation of disciplinary fields, thus to a decline in the disciplines themselves. This trend undermines the exclusionary strategies of the professions as they may become considered to be overly distinctive, based only on their ‘exclusive knowledge’ (Freidson, 1986). We may expect also this revolution to lead to a weakened role for professional associations as self-regulating bodies. This contributes to the idea that policy makers and the public in general no longer find professional claims of altruism or disinterest as credible as they once did (Laffin and Entwistle, 1999). In fact, as Laffin and Entwistle say, based on the British case: old exclusionary strategies fail because professional jurisdictions are now overlapping and ‘worryingly for the professions, policy makers increasingly see them as part of the problem rather than its solution’ (1999: 213).

Invariably, the case of healthcare professions clearly illustrates these oncoming institutional changes. This is the case with teamwork, taken for granted in health but actually needing improvements in order to be effective and overcome status inequalities. In some contexts, managers, social care professionals and clinicians interact in which we may highlight the conflictual



relations between managers and doctors, whether due to policy changes or to their different objectives within organisations (Fitzgerald, 2016), and in any case detrimental to overall performance standards (West and Markiewicz, 2016).

Furthermore, a different situation challenges the very core of doctors' power. In fact, integrated perspectives of human beings and a problem-solving orientation are leading to convening different fields of expertise, which may trigger clashes between traditional professional boundaries. Although this new approach might lead us to focus on new occupations, such as when considering biosecurity or food safety issues (Wrede, 2012), we here focus on the role played by competing professional associations of a new kind.

The World Professional Association for Transgender Health (WPATH) illustrates this intervention of interdisciplinary professional associations. The WPATH is an interdisciplinary professional and educational organisation devoted to transgender health that replaced the Harry Benjamin International Gender Dysphoria Association in order to assume a clearer advocacy mission in 2007 in defence of transgender people. The WPATH assembles professionals from diverse fields: medicine, psychology, law, social work, counselling, psychotherapy, family studies, sociology, anthropology, sexology, and speech and voice therapy, among others. Its mission is to promote evidence-based care, education, research, advocacy, public policy and respect in transgender health, in order to promote a high quality of care for transsexual, transgender and gender-nonconforming individuals internationally. One of the most important outputs of its actions is the publication of the Standards of Care and Ethical Guidelines, under publication since 1979. The WPATH maintains that medical and other barriers to gender recognition for transgender individuals may harm physical and mental health, and particularly oppose those medical requirements that act as barriers to those wishing to change their legal sex or gender markers on documents, including requirements for diagnosis, counselling or therapy, puberty blockers, hormones, any form of surgery, or any other requirements for any form of clinical treatment or letters from doctors.

What the WPATH case conveys is how, despite the scarce research evidence on professional interaction (Fitzgerald, 2016), professional associations have to deal with other NGOs, with some composed of different fields of expertise while also pursuing knowledge goals as well as regulation in addition to experiencing pressures from supranational agencies.

### ***Supranational governance agencies***

Globalisation implies the relevant actions of supranational actors and also extends into professional fields (Evetts, 1995; Wrede, 2012). In fact, we may say supranational governance actors are performing a role in professionalisation. Two examples emerge of how these organisations have begun to challenge nationalistic assumptions (Faulconbridge and Muzio, 2011).

The World Health Organization (WHO) has long been promoting task-shifting in keeping with the normalisation of knowledge and the lack of resources in some countries and regions. Task-shifting means tasks get moved from highly qualified workers to less qualified workers in order to make more efficient use of the scarce human and financial resources available (WHO, 2008). Triggered by the HIV epidemic and its treatment, as well as maternal and new-born health in poor countries, task-shifting aims to achieve greater equity in access to healthcare through the decentralisation of services to communities, but this does not happen without the resistance of some professional associations.

We must note that the delegation of professional functions often occurs informally by shifting or sharing tasks and responsibilities. Nevertheless, it is important to normalise these arrangements through regulatory and educational reforms, not only for the reduction of risks for those

the practitioners serve but also for the protection of the practitioners themselves. Therefore, the enacting of appropriate requirements necessarily engages already existing actors in the field, the professional associations among them. We may point to several examples demonstrating how the creation of a new cadre precedes the engagement and at least the consultation of all stakeholders. In fact, only the involvement of the different actors guarantees cooperation and the effective implementation of public policies (WHO, 2008; McCarthy et al., 2013).

A second example comes from the European level. The European Commission (EC) has been responsible for developing a number of legal frameworks that regulate aspects of professional projects, including the Directive on Professional Qualifications (2005/36/EC). Through common economic regulation, the EU seeks to establish a single market in professional services and qualifications within the scope of advancing to a political union, such as through the European Professional Card (EPC) introduced in January 2016 ([http://europa.eu/youreurope/citizens/work/professional-qualifications/european-professional-card/index\\_en.htm](http://europa.eu/youreurope/citizens/work/professional-qualifications/european-professional-card/index_en.htm)). The EPC is an electronic procedure to facilitate the recognition of professional qualifications within European countries, thereby promoting mobility and already covering nurses, pharmacists, physiotherapists, mountain guides and real estate agents.

Therefore, we may say that interactions between national and supranational actors, rather than national or supranational actors operating in isolation, henceforth need to be at the centre of analytical attentions (Faulconbridge and Muzio, 2011).

### ***International professional services firms***

Another contemporary phenomenon interrelates with the growth in international work organisations. These organisations bring back to the debate the focus on the conflict between professionals and bureaucratic work that marked the first stage of the study of professions in organisations back in the 1950s. After having moved into a larger concept of professions that embraced not only highly qualified occupations and considering the market positions of the professions and the professional organisations *per se* (Hinings, 2006), bureaucratisation has returned. In fact, as Bob Hinings states: ‘The death of bureaucracy is much overstated, but new organizational forms are emerging that emphasize knowledge acquisition, use, and dissemination, together with flexibility and autonomy in organizational working’ (2006: 418).

New experts are emerging and commercialising their services in international markets without any formal system of scrutiny for their practices, raising risks in keeping with the lack of transparency that enables monitoring and trust. Therefore, these increasingly narrow fields of expertise do not deploy any specific mechanisms for certification and/or legitimation (Furusten and Werr, 2017). Indeed, while professionals in smaller organisations are more embedded in institutionalised routines, professionals in larger organisations are the least likely to participate in the training and other post-certification activities provided by national professional associations (Greenwood et al., 2002). Hence, there is an uneven distribution of the influence of professional associations that becomes still more complex when approaching multinational entities.

Some authors argue that a new archetypal professional organisation is now emerging (Brock et al., 2001) and that this requires a new theoretical approach in order to integrate this new kind of organisation into the debate on professionalism (Evetts, 2009). As Brock et al. sustain: ‘Institutional boundaries between professions, long protected by statute and tradition, have weakened as governments deregulate professional services and firms move to take advantage of new business opportunities’ (2001: 10). The expansion of international professional offices in engineering, architecture, accountability, law and other fields, even in the health sector as Brock et al. (2001) observe, has evolved and raised important challenges in recent decades given how

these became the primary locus of professionalism. In fact, these organisations are now driving new combinations of professionalism and managerialism.

Evetts (2009) argues that we are observing a shift from ‘occupational professionalism’ towards ‘organizational professionalism’. This organisational professionalism emerges in association with hybrid logics such as management functions simultaneously incorporating traditional expertise (Furusten and Werr, 2017). The global professional service firm is asked to adopt global standards of professional practice with their work drawing on the expertise of cross-border multidisciplinary teams (Faulconbridge and Muzio, 2011). Their clients are corporations and not individuals aiming to maximise their interest (Rogers et al., 2017). The large professional firms are ‘a vehicle for the sustained interaction between different national varieties of professionalism and the rescaling of the mechanisms of the control of production of and by producers’ (2017: 143). The global organisation or commercialised professionalism is enabling the global values and skills required to perform as a global corporate professional. In this sense, especially in supranational corporations, the firm’s own definition of ethics may take precedence, leading to situations in which the regulation of production by producers potentially occurs outside the orbit of any one national professional regime (Faulconbridge and Muzio, 2011). In sum, traditional mechanisms of peer supervision have become less relevant and often impractical (Rogers et al., 2017).

Although national regulatory roles are not suppressed, and one could expect international professional associations to play an important role in balancing the tensions between the local and global definitions of standards of practice, what is certain is that the situation inside international professional service firms is complex. As Faulconbridge and Muzio (2011) describe, there are ‘multi-scalar sources of power and legitimacy inevitably complicat[ing] theoretical understandings of processes of professionalization’ (2011: 147). The portrait by these authors of the contemporary professional is quite expressive:

an Australian lawyer working in the Brussels office of a New York law firm on a contract for a Japanese client with a German counterpart, which is governed by English common law, but in which disputes are to be referred to the International Chamber of Commerce’s International Court of Arbitration in Paris.

*(Faulconbridge and Muzio, 2011: 146)*

### ***New public management***

This last reference often also contributes to the ‘deprofessionalisation’ thesis associated with the idea that professional powers are on the decline (Freidson, 1986; Moran and Wood, 1993). The evidence correspondingly presented often revolves around the medical profession and highlights how doctors are situated between power and pressure when working as dependent workers. Pressures have seemed to mount in keeping with the generalisation of education and consequent consumer demands (Chiarello, 2011), but especially due to organisations oriented by principles of efficiency that condition professional decision-making autonomy.

As Moran and Wood (1993) noted in the 1990s, the archetypical free, independently working professional is becoming less common. Doctors often work in hospitals and other healthcare system structures. Furthermore, a doctor working in a hospital in principle has less in common with a private doctor than a private doctor with a private lawyer (Burrage and Torstendahl, 1990). In fact, the professional type, whether free-profession, capital profession, state profession, academic profession or political profession (Burrage and Torstendahl, 1990), forms a link between political actions and social structures that explains why some argue professions need analysing in relation to a wider social context.

These professionals may have to deal with challenges to their professional autonomy, in particular impacting on those publicly employed and not the entire extent of the occupational group. The so-called ‘corporate rationalizers’ (Burrage and Torstendahl, 1990), who are diffusing the new public management model (Fitzgerald, 2016), when intending to bring about economies in resource usage address their attentions towards professional practices because both professionals and their practices are costly. This paradigm strives for efficiency, promoting competition between services, output controls, thrift in the allocation of resources and the decentralisation of services, among other strategies (McLaughlin et al., 2002).

While the challenges to professional power remain highly path-dependent, they do tend to interlink with public policies and the privatisation of healthcare and education. The involvement of patients and public organisations’ representatives, inclusively on the board of professional associations, also constitutes an identifiable trait of this managerial style. As regards the actions of professionals, new public management seems to raise problems between managers and doctors, for instance, with one of the solutions found involving ‘role merging’, thus a ‘hybrid medical manager’ with its consequent impacts on boundaries and accountability (Fitzgerald, 2016).

Although developed in Britain and the United States, the new public management model has spread to become one of the dominant management paradigms of North America, Australasia (Evetts, 2009; Connell et al., 2009) and other regions of the world, advocated in conjunction with a neoliberal ideology (Connell, 2009) and supranational governance agencies such as the World Bank, the IMF and the OECD (McLaughlin et al., 2002). Considering how associated this paradigm is with privatisation and the marketisation of the public services and, at the very least, its origins stem from ideas around a minimal state, it has evolved since its first forms towards different models, such as community governance (McLaughlin et al., 2002) and social entrepreneurship (Connell et al., 2009). In fact, this paradigm first emerged in the 1980s under Margaret Thatcher, a period in which labour market deregulation advanced, before expanding across different continents in the 1990s, as McLaughlin et al. (2002) identify. The perspective also recently achieved salience in European countries due to the IMF’s conditionality policy during the financial crisis triggered in 2008. In these contexts, public services become the residual system, the second-best choice for those unable to afford the real thing (Connell et al., 2009), and intra- and inter-profession competition rises, thereby also jeopardising peer cooperation and the relationship of trust with patients (Evetts, 2009).

## Conclusion

Professional associations constitute one of the fastest-growing NGOs. The main reason for this derives from the growing number of professions and occupations, as a result of increases in education, wishing to influence their respective fields. In fact, the most common type of professional associations operates a self-regulating role that transforms these organisations into important public services providers, controlling access to a professional field as well as handing down the guidelines for good professional performance standards, which they are then expected to supervise and control.

However, their influence reaches beyond their particular professional field whenever they hold membership association status. The double statute of representation and regulation turns these organisations into powerful institutions in conjunction with the state. They not only ensure peer control processes but also exercise their powers in the face of other occupations that may nevertheless call into question the boundaries of their fields.

Taking into consideration the impact of globalisation on the service sector, not only has the number of international professional service firms increased but international professional associations

also now play a more salient and diversified role. While international professional associations seem to encounter limitations on their ethical vigilance over professionals due to tensions in the different jurisdictions which intersect in the international context, they have also been performing an increasing role in certification and lobbying. In fact, the provision of international certification by these organisations proves a facilitating role for mobility. Simultaneously, international professional associations also develop important lobbying roles within the scope of supranational governance agencies, in particular influencing public policies and guidelines.

While the new public management has already built up over some decades, it nevertheless seems set to remain a central question for research into the foreseeable future alongside other important and productive areas on professional associations. We would here stress two other potentially particularly productive areas for future research on NGOs and professions: on the one hand, the positioning of national professional associations on the regulation of international services; on the other hand, the development of competing organisations across different levels of the professional field. Encouraged by an integrated view and driven by problem-solving, in particular supranational public agencies and interdisciplinary NGOs may end up jeopardising the monopoly of professional associations.

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# Religiously affiliated NGOs

*Karsten Lehmann*

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## 1. Introduction: a new and controversial field of analysis

Throughout the last two decades, international non-governmental organizations (NGOs) have developed into an object of vibrant debate. Among those NGOs, organizations that are described as ‘religious’, ‘faith-based’ or ‘spiritual’ – either by the protagonists inside the organizations and/or by others from outside the organizations – are subject to particular discussions. The majority of these organizations (for a start simply labelled as ‘religious international NGOs’ (RINGOs)) present themselves as a distinct group that provides an emphasis on ethics or values as well as a particular access to the grassroots level (Bent 1986; Mshana 2004).<sup>1</sup> But there are also critics highlighting that the mere presence of RINGOs in international relations questions the ‘wall of separation’ between religion and politics and that they jeopardize some of the most important accomplishments in international politics (Favret-Saada 2010).

Almost in parallel, academics have started to scrutinize the assumptions that form the basis of these disputes. On the one hand, scholars underline the long tradition as well as the heterogeneity of the NGOs in question – first with regards to the overall NGO landscape and second with regards to the internal structures of the respective organizations (Shah, Stepan & Toft 2012; Toft, Philpott & Shah 2011). On the other hand, present research makes the point that the (self-)descriptions of these NGOs lead to disarray and that descriptors such as ‘religious’, ‘faith-based’ or ‘spiritual’ do not provide a resilient basis to understand the role of NGOs in international relations. In other words: an increasing group of scholars raises the question to what extent the identification of a particular group of NGOs as RINGOs helps to better understand the role of NGOs in international relations (Fitzgerald 2011; Hurd 2008).

The chapter at hand first provides an introduction to those discussions as well as an exemplary sketch of the developments of RINGOs in the field of international relations. For this purpose, it focuses on a two-fold argument:



- First, it supports the point that NGOs that are (self-)described as ‘religious’, ‘faith-based’ or ‘spiritual’ are increasingly present in international relations. They are highly diverse and have changed significantly over time.
- Second, it argues that a ‘critical approach’ to religion is necessary to understand the activities of these NGOs: analyses have to go beyond the level of (self-)descriptions to work towards an analytic concept that grasps the political dimension of the RINGO category.

To make this argument, the present chapter proposes to systematically distinguish between the notion of ‘religious international NGOs’ (as a category of practice) and the notion of ‘religiously affiliated NGOs’ (as a category of analysis). For one thing, this distinction will help us to grasp the complex social processes that form the basis of the identification of a specific group of NGOs that is labelled as religious. It also highlights the internal social process of affiliation that stands at the basis of this distinction.

The text starts with general references to the complex construction of NGOs and religions (section 2). In section 3, it presents three central topoi of the present-day academic debates on the role of RINGOs in international relations. The next section adds empirical observations dealing with different generations of NGO networks in the context of the UN (section 4). The chapter ends with the proposal to use the notion of ‘religious affiliation’ as an analytic category to better understand RINGOs in international relations (section 5).

## 2. Complex construction of NGOs and religions

The following considerations are not the place to sum up the multi-fold debates on the social construction of reality in any sufficient way (Berger & Luckmann 1966; Schnettler 2006; Knoblauch 2014; Keller 2013). To adequately understand the following discussions, it is, however, helpful to start from Rogers Brubaker’s (2012, 1–8) general distinction between ‘categories of practice’ and ‘categories of analysis’. This distinction – along with similar distinctions such as first/second-order categories or emic/etic categories (Claus & Marriott 2017; Opgenoorth & Schulz 2010; Hendry 2016; Bowie 2006) – puts a particular emphasis on the multi-fold layers of the social construction of reality and invites us to have a closer look at the power relations that form the basis of these constructions.

This helps to get a better idea of the complexity of the notion of the ‘non-governmental organization’. The contributions to the introductory sections of the present handbook have once again made it very clear that the category of the NGO started out as an administrative concept that increasingly turned into a normative self-description as well as an analytic category.<sup>2</sup> And this becomes even more challenging as soon as one takes into account that many NGOs have a normative agenda that tends to emphasize aspects such as their joint ethical foundation or their homogeneity as a group of organizations (Batliwala & Brown 2006; Boli & Thomas 1999; Stickler 2005).

Willetts (2011, 30f.) proposes two distinct strategies to deal with this situation: (a) a formal and narrow strategy – in Willetts’ case based upon a definition of NGOs that refers to the formal status of organizations officially accredited to the UN – or (b) a wide and generic definition that will form the basis of the following considerations:

NGOs are any organized groups of people that are not direct agents of individual governments, not pursuing criminal activities, not engaged in violent activities, and not primarily established for profit-making purposes.

What is more central to the present contribution, though, is the fact that ‘religion’ is also a highly contested notion (Masuzawa 2005; Taylor 1998; Davie 2013; Kehrer 1988). As a category of practice, ‘religion’ stands at the centre of a diverse semantic field. Within the context of European languages, this field includes notions such as ‘spirituality’, ‘faith’ and ‘*Weltanschauung*’ that underline individual(ized) dimensions of religion; whereas notions such as ‘church’, ‘order’ and ‘community’ emphasize the multi-fold societal dimensions of religions (Lüddeckens & Walthert 2010; Berger, Hock, Klaus & Klie 2013).<sup>3</sup> Meanwhile, in the context of international relations, the notions of ‘faith’ or ‘faith-based’ are increasingly substituted for ‘religion’ or ‘religious’ – thus prioritizing the individual dimension of religion in quite a problematic way.

The following considerations start from a differentiated understanding of Burkhard Gladigow’s rather traditional and narrow concept of religion that tries to integrate these two strands and is grounded in a specific reading of Clifford Geertz’s (1966) classic definition of religion as a system of symbols. Religion shall be defined as (Gladigow 1988, 34f.):<sup>4</sup>

a system of symbols that is characterised by its bearers with reference to *undeniable, collectively binding, and authoritatively given principles*.

In a context such as international relations, however, one has to keep in mind that these systems of religious symbols are constructed on three analytically distinct (yet interdependent) levels: (a) the micro-level of individual spirituality, (b) the meso-level of religious organizations or movements and (c) the macro-level of general discourses (Lehmann & Jödicke 2016). Taken together, such a concept helps to identify religion as a complex socio-cultural phenomenon in a political context such as international relations. In this sense, the definition serves as an analytic tool to further assess three major topoi of the present-day debates on RINGOs in the context of international relations.

### 3. Major topoi of the present-day debates

One of the interesting things about the present-day debates on RINGOs is the fact that they are dominated by three distinct – yet entwined – groups of scholars: authors with a background in the field of development, in the field of international diplomacy (with a particular focus on international organizations) and in the field of international relations, politics or globalization. The discussions among these three groups of scholars can be structured around three topoi: first, the topoi of the concept of RINGO; second, the topoi of impact; and third, the topoi of internal differentiation (Lehmann 2010, 2011). Each of these topoi will now be presented in greater detail.

#### ***First topoi: the concept of RINGO***

It is only since the events of the late 1960s/mid-1970s (Civil Rights Movement, Iranian Revolution, visit of Pope John Paul II to Poland, emergence of the New Christian Right in the USA etc.) as well as the late 1990s/early 2000s (fall of the Berlin Wall, terrorist attacks in New York City, Tashkent, Madrid etc.) that we can see an increasing interest in the entanglements of religion and international politics and thus in RINGOs.<sup>5</sup> And this new trend is embedded into fundamental analytical shifts such as the increasing prominence of a culturalist approach to international relations (Krücken & Drori 2009; Huntington 1996) or the ‘resurgence of religion’

debates inside sociology and the academic study of religions (Berger 1999; Riesebrodt 2014; Riesebrodt 1990).

In the course of this new interest, it is possible to distinguish three strands of RINGO definitions: Marshall (2013a, 3, 5) stands for the dominant strand of present-day definitions of RINGOs that start from a rather traditional concept of religion and underline the internal complexity of religions:

This book focuses on one dimension of the world's religions: the formal institutions that are specifically dedicated to governing religious communities and especially those institutions that operate across international boundaries, and thus that take international forms . . . 'Religion' broadly refers to ideas and beliefs, elaborate schools and theology, a vast array of institutions, and practices that shape daily lives from the moment they begin until their final hours . . . [The] diversity of religious beliefs and institutions, even within congregations, not to speak of tendencies multiplied on the global level, must be well appreciated as context for the discussion here.

Throughout the last decade, this type of definition has seen criticism from a second strand of scholars, dominated by the so-called 'critical approach' to religion. The majority of its proponents have a background in a particular tradition of the academic study of religions that is highly indebted to the 'cultural turn' in social and cultural studies. In a poignant discussion with Katherine Marshall, Philip Fountain (2013a, 2013b) has made this point (Fountain 2013a, 23):

In these texts [e.g. Marshall (2013b)], religion is imagined and produced as an object with certain inherent characteristics: it is transcultural, and ahistorical, clearly identifiable and distinctive. It is substantive and essentialist . . . [In contrast,] I argue that the myth of religious NGOs is a political discourse that facilitates certain kinds of intervention. Its import therefore lies well beyond 'mere' academic debates.

Fountain presents an approach to RINGOs that challenges the very notion of religion as an analytic category by emphasizing the political agenda that forms the basis of this category.<sup>6</sup> In order to adequately understand RINGO activities (he argues), one has to take the socio-cultural processes into consideration that have led to the usage of this category and to critically assess, for example, the respective processes of inclusion and exclusion. Fountain argues that any study of RINGOs has to treat religion as a socio-cultural phenomenon, thus opposing a 'sui generis' concept that is primarily associated with the so-called 'phenomenology of religion' (McCutcheon 1997; Wiebe 1998; Taylor 1998).

In the midst of these debates, an interdisciplinary group of scholars from the University of Kent have most recently presented an intermediate position, which takes the social setting of the UN as an example to better understand the construction of RINGOs (Carrette 2017, 7–8):

[T]he central finding of this book is that we understand religious actors at the UN through processes of the institution and that religious groups inside these processes reveal how these actors are both 'invisible' and 'visible' at different strategic points. It establishes how religion becomes part of what I will call 'chameleon politics', the emergence and disappearance in procedures and processes, tactics and strategies of the UN system.

To put this in a nutshell, Jeremy Carrette and his colleagues add a three-fold argument to the discussions: first, they make the point that it would be misleading to neglect the empirical

observation that there is a group of NGOs that use the descriptors ‘religion’, ‘spirituality’ or ‘faith’ to position themselves in international relations. At the same time, they argue, however, that – second – the usage of these descriptors does not necessarily provide those organizations with transcendent characteristics. RINGOs rather are very much influenced by the very context they are working in. Actually, Carrette et al. push this point even further and argue – third – that RINGOs use this particular ambivalence as a strategy to work in international relations.

These debates on the concept of RINGO show that it is by no means self-evident that RINGOs form a coherent group of organizations or movements. The notion of RINGO as a category of practice is a highly complex one with fuzzy edges that are subject to contestations. Unfortunately, these highly sophisticated theoretical debates so far have had only marginal impact on the empirical discussions of the other two topoi. The majority of present-day analyses focus on case-studies and mapping enterprises that start from an emic category of RINGOs, based upon the (self-)description.

### ***Second topos: impact of RINGOs***

Until today, the topos of ‘impact of RINGOs’ has primarily been approached by scholars that analyse two contexts, where this category is a particularly established one – the context of development and the context of international organizations.<sup>7</sup> In contrast, discussions on the role and impact of religions in international politics to a great extent omit the role of NGOs in general and RINGOs in particular. And scholars in the tradition of the ‘critical study’ of religion also tend to neglect the question of impact in their analyses. Correspondingly, the following considerations focus on RINGOs in international organizations and development.

Among the authors that work on RINGOs in international organizations, scholars such as John Nurser (2005) and Jeffrey Haynes (2014) – primarily on the basis of detailed case analyses – highlight that the (self-)descriptions of RINGOs have long served as a stumbling block for their activities in the field. They also stress that the complexity of international organizations makes it very difficult to assess ‘impact’ in the first place. For example, there are very different narratives on the influence of RINGOs on the early United Nations that range from the assessment that they played an integral role in the set-up of the UN to the perception that they had but a minor impact in a state-dominated field (Korey 1998).

This contextual distinction is a highly important one. Samuel Moyn (2012, 2015) and Karsten Lehmann (2016) have made the point that any assessment of the impact of RINGOs on international organizations also has to consider the impact these organizations have on RINGOs. Dealing with early human rights discourses in two Christian NGOs, Lehmann has argued that these RINGOs underwent a development from ‘church diplomacy’ to ‘civil society activism’ that can be interpreted as an increasing impact on the UN context of those RINGOs. Samuel Moyn adds a wider dimension to this debate, underlining the more general impact of human rights discourse on NGOs as well as the role RINGOs played in the very establishment of human rights discourses in Europe and the United States of America.

As far as the impact of RINGOs in the field of development is concerned, we can rely on more general analyses. The most extended studies have so far been undertaken by the World Faiths Development Dialogue/WFDD at Georgetown University’s Berkeley Center for Religion Peace and World Affairs (Marshall 2007; World Faiths Development Dialogue 2018) and the ‘Religions and Development’ Programme at the University of Birmingham (Rakodi 2014). In addition to those two big groups of researchers, the last decade has also seen an increasing number of individual publications by authors that analyse the national and regional role of RINGOs in the field of development (Bornstein 2005; Leurs 2012).

So far, this increasing field of scholarship has come up with three main results:

- First, the studies highlight that the protagonists inside the RINGOs frequently see themselves embedded in wider religiously affiliated networks that shape their activities in different ways. In almost all cases, RINGO representatives underline that these affiliations have a significant influence on their recruitment strategies, their core activities and their forms of resource allocation (Deneulin & Banon 2009).
- Second, comparative analyses highlight the influence of the wider cultural contexts on the ways RINGOs shape this field of activities. Empirical studies propose that the strength of civil society, the socio-economic situation etc. are central to answer the question of influence. The impact of the very same RINGO varies in different contexts (Flanigan 2010).
- Finally, the existing research underlines the multi-fold ways in which RINGOs are active in the field of development. Most scholars suggest that development work is hard to understand without the ongoing commitment and impact of RINGOs on development activities, and that this field is – at the same time – highly diverse.

In sum, research on the impact of RINGOs is restricted to specific fields of activities as well as initial case analyses and mapping enterprises. Analyses highlight the presence of a group of NGOs that is (self-)described as religious in the context of international organizations and development. They underline the complexity of the field as well as the diversity that makes it difficult to properly assess impact. The future will have to see more comparative analyses as well as analyses that highlight the power processes that constitute this field in its diversity.

### ***Third topos: internal differentiation of RINGOs***

During the last decade, scholars have invested quite some effort into constructing typologies of RINGOs. Most of these typologies start from detailed analyses of interviews, participant observations or administrative documents. Wider surveys and historical analyses are still the exception rather than the rule (Bush 2007, 2017). Together, the existing typological reflections underline three dimensions of RINGO activities: (a) with regards to their religious affiliations, (b) with regards to their concrete day-to-day activities and (c) with regards to their general fields of activities.

As for the general fields of RINGO activities, a first important impulse for typological reflection is associated with the work of Gerard Clarke. Clarke (2006, 840) identified five specific thematic emphases of what he describes as faith-based NGOs in international politics:

- faith-based representative organizations
- faith-based charitable or development organizations
- faith-based socio-political organizations
- faith-based missionary organizations
- faith-based radical, illegal or terrorist organizations.

Besides the fact that the category of ‘faith’ highlights – as indicated above – the individual level of RINGOs in a very specific (and sometimes problematic) way, Clarke’s typology helps to make the point that RINGOs do differ with regards to the explicit emphasis they put on specific activities. On the one hand, RINGOs work in very diverse fields. On the other hand, these fields affect their concrete activities as well as the ways in which they present ‘religion’.

As far as the concrete day-to-day activities are concerned, Julia Berger (2003, 16) has offered a typology of RINGOs that highlights four general dimensions of their activities, thus underlining that these activities cannot exclusively be explained by the religious dimension:

- the religious dimension
- the organizational dimension
- the strategic dimension
- the service dimension.

This forms the basis for the third typological approach that focuses on religious affiliation: scholars such as Marie Juul Petersen and Jeremy Carrette/Hugh Miall have been looking at the religious traditions RINGOs are affiliated with (Petersen 2010). These research groups underline the structural differences between NGOs affiliated with specific religious traditions as well as the influence of religious affiliation on their thematic outlook in the context of international relations (Carrette & Miall 2017; Carrette 2013; Carrette & Trigeaud 2013). So far, however, we do not have sufficient empirical data to be in the position to construct typologies based upon religious affiliation.

In total, these multiple typological efforts point in two directions: first, they add yet another dimension of heterogeneity to the debates. Second, they hint towards the formative power of religious affiliation in the field. To further substantiate this, the following section will now look at three specific cases of RINGO networks in the context of the UN.

#### 4. Networks of RINGOs in the context of the UN

The UN offers a unique space for empirical analyses on the role of NGOs in international relations:

- (a) The UN has been among the first political institutions that have started to formally introduce the concept of the NGO into international politics (Willets 1996). At the moment, UN regulations differentiate between three types of NGO consultative status: general status, special status and the so-called roster – each of them offering specific privileges to the respective NGOs within the UN system. The procedures of the UN foresee, however, no formal differentiation with regards to fields of activity. In other words: there are no formal categories for ‘religious’, ‘peace’ or ‘development’ NGOs (United Nations 2011).
- (b) At the same time, it can be argued that the UN has developed into a unique working environment – at least for a specific type of NGOs that target a global, politico-diplomatic audience (Martens 2005; Kennedy 2007; Normand 2008; Herbert 2003). Certainly, the UN provides no formal role of decision-making for NGOs, because this is perceived as a prerogative of the states. The UN offers, however, a stage for NGO activities insofar as NGOs participate in UN consultations and have the opportunity to present their own agenda. In this sense, NGOs are firmly embedded into the UN as well as specific types of discourses associated with it.

The following sections will present three networks of NGOs that are formally accredited to the UN and that position themselves with references to the semantic field of ‘religion’ – using the descriptors ‘religion’, ‘church’ and ‘spirituality’:

- the Committee of Religious NGOs at the United Nations (CRNGO)
- the Church Center for the United Nations (CCUN)
- the NGO Committee on Spirituality, Values and Global Concerns (CSVGC)

All these networks bring together NGOs that are (self-)described as RINGOs – even though the analyses will show that the different networks attract specific groups of RINGOs. In addition, the above criteria deliberately exclude two types of NGOs: first, NGOs that are dealing with religion without formal religious affiliation (e.g. the NGO Committee on Freedom of Religion or Belief: [www.unforb.org](http://www.unforb.org)) and, second, NGOs that have no formal affiliation but are dominated by individual protagonists with an explicit personal religious commitment (e.g. Family Research Council: [www.frc.org](http://www.frc.org)).<sup>8</sup>

### ***Committee of Religious NGOs at the United Nations (CRNGO)<sup>9</sup>***

For the present argument, CRNGO is probably the most interesting RINGO network in the context of the UN insofar as its protagonists explicitly use the descriptor ‘religious’ to present their organizations. In this sense, CRNGO is a loose network of RINGOs formally situated in the context of the UN. It has met regularly since 1972 – with new and stronger commitment since the 1990s. The CRNGO website helps to specify the activities of its members in three ways.

First, the website gives a general description of the network’s activities that also use ‘spirituality’ and ‘ethics’ as general descriptors and underlines that the members of CRNGO see their particular strength in the pursuit of peace and respect:

The Committee of Religious NGOs at the United Nations is a coalition of representatives of religious, spiritual and ethical non-governmental organizations who exchange varying points of view and are dedicated to the pursuit of peace, understanding and mutual respect.<sup>10</sup>

Second, the CRNGO website documents that the committee holds monthly meetings of NGO representatives between September and June. In addition, the committee organizes what the UN jargon describes as ‘Side-Meetings’ or ‘Side-Events’ in the context of the UN. In other words: CRNGO is closely integrated in professional NGO activities. In particular, it is committed to the ‘World Interfaith Harmony Week’<sup>11</sup> – an official UN observance initiated by Abdullah II of Jordan and formally adopted by the UN General Assembly in 2010.

Third, the CRNGO website provides a list of 37 member organizations (dating from 30 October 2015) – most of them formally affiliated to a specific religious tradition. These RINGOs can be divided into five groups:

- NGOs that are linked to different branches of Christianity (e.g. the catholic order Maryknoll, the catholic lay organization Pax Christi International or the protestant denomination of the Salvation Army)
- NGOs that are exclusively affiliated to Hinduism and work in the field of peace and humanitarian aid (e.g. Anuvat Global Organization or the Bharat Sevashram Sangha)
- NGOs that are attributed to Reform Judaism (e.g. the International Council of Jewish Women, the World Union for Progressive Judaism and the Women of Reform Judaism)
- NGOs that represent particular segments of smaller religious traditions (e.g. the Baha’i International Community, the Federation of Zoroastrian Associations of North America or the International Mahavir Jain Mission)
- NGOs of an explicit interreligious character (e.g. the United Religions Initiative, the Temple of Understanding or the Parliament of the World’s Religions).



These observations open an interesting perspective on the ways in which the category of ‘religion’ is substantiated among RINGOs in the context of the UN. CRNGO presents itself as a network of formal representatives of RINGOs that are characterized by their affiliation to specific segments of religious traditions (with a bias towards Christianity). In most of the cases, these RINGOs stand for the more liberal strands inside their religious traditions (which is also mirrored in the self-description of the committees). CRNGO expands the descriptor of ‘religion’ towards ‘interreligious’ organizations (in terms of membership) as well as ‘spiritual’ organizations (in terms of the overall self-description).

### ***Church Center for the United Nations (CCUN)***<sup>12</sup>

The most obvious difference between CRNGO and CCUN is the fact that CCUN uses ‘church’ as the central descriptor for its activities. In addition, CCUN is a very specific network insofar as it is centred around a 12-storey building that was commissioned in the early 1960s by what is now called the ‘United Methodist Women’. The building is decisively situated at the corner of 44th Street and First Avenue just opposite the UN’s headquarters in New York City to provide a space for NGOs that cooperate with the United Nations.

In a web-article (posted on 14 August 2013), Mary Beth Coudal – former staff writer for the United Methodist General Board of Global Ministries – characterizes the initial idea behind the Church Center in the following way:

The idea for the center was ecumenical, arising from conversations within various mainline denominations and dialogues through the National Council of Churches. But the physical building, the Church Center for the United Nations, is a visible testament to The United Methodist Church’s leadership and United Methodist Women’s commitment to put faith, hope and love into action.<sup>13</sup>

Today, three primary groups of NGOs use the Church Center as an office space:<sup>14</sup>

- The largest group consists of NGOs that have – in the widest sense – an explicit Christian affiliation (e.g. the Ecumenical UN Office of the World Council of Churches or the Ministry at UN of the Presbyterian Church USA).
- In addition, CCUN also attracts so-called interreligious groups with an explicit interest in the work of the UN (e.g. Religions for Peace or the Temple of Understanding).
- The smallest group of NGOs at CCUN is composed of those that have an active interest in the peace and human rights work of the UN but are not formally affiliated to any religious tradition (e.g. Amnesty International – United Nations Offices, Global Policy Forum, International Service for Human Rights).

In addition to the provision of office space, the Center also serves as a physical space for internal meetings and public events. These meetings and events are not restricted to those organizations that have offices in CCUN. They are, however, dominated by organizations that fall within a similar spectrum of Christian affiliation, interreligiosity, human rights and peace activities. In early 2017 the activities *inter alia* included:

- a meeting supporting the 62nd meeting of the Commission of the Status of Women
- a weekly Ecumenical Community Prayer and Meditation
- an awarding reception of the ‘Global Ambassador Peace Award’.<sup>15</sup>

Compared with CRNGO, CCUN thus documents three further aspects of RINGO networks within the UN context: first, it underlines that there are differences between the descriptor 'religion' and 'church'. Second, CCUN shows that the fields of peace and human rights seem to be perceived as congruent with the activities of the other RINGOs. Third, CCUN illustrates the existence of different levels or circles of networks around the physical space of the centre: (a) a narrower circle of formal co-presence at the centre and (b) a circle of more general cooperation on topics such as peace and human rights.

### ***NGO Committee on Spirituality, Values and Global Concerns (CSVGC)<sup>16</sup>***

CSVGC is the youngest UN-related network of RINGOs that will be presented in this text. Originally, this committee was established in Geneva in 2002 (this initiative is no longer active). In 2004, a parallel Committee was founded in New York City, and this committee forms the basis of the following considerations. Formally speaking, the New York branch of CSVGC is a sub-committee of the 'Conferences of NGOs in Consultative Relationship with the United Nations' (CoNGO) that consists of NGOs that are formally affiliated to the UN's 'Economic and Social Council' (ECOSOC) as well as the UN's 'Department of Public Information' (DPI).

On its website, CSVGC characterizes its main aims in a way that brings together classic wordings of the UN Charter (e.g. 'peoples of the world' or 'universal principles') with the idea of 'spirituality transcending the boundaries of religion':

Infused with a foundation of spirituality and values which are universal in nature, transcending the boundaries of religion, ethnicity, gender and geography, the Committee is resolved to help bring about a culture in which we, the peoples of the world, can address together our common global concerns in a positive, holistic and transforming way and live together in peace with one another, thus realizing the core objectives and universal principles stated in the United Nations Charter and the Universal Declaration of Human Rights.<sup>17</sup>

The interesting thing about this self-description is the use of the descriptors 'spirituality', 'values' and 'global concerns' in the context of the CoNGO: on the one hand, CSVGC integrates NGOs that use these descriptors into the much wider formal frame of the CoNGO. On the other hand, the members of CSVGC explicitly integrate these concepts into the work of the CoNGO. This two-fold integration is also reflected in concrete working groups of CSVGC that are called: Culture of Peace; Eco-Spirituality; Health, Transformation and Spirituality; Sacred and Transcendental Arts; Spiritual Council for Spiritual Challenges; and Spiritual History of the United Nations.<sup>18</sup>

In light of this, it is helpful to have a closer look at the list of the 35 RINGOs that were present at the formation of the committee:<sup>19</sup> apart from a small number of overlaps, the membership of CSVGC is dominated by organizations and movements that are neither members of CRNGO nor have they offices in the Church Center.<sup>20</sup> The present Executive Council Members and Officers are, for example, associated with organizations that describe their activities in the following way:

- the UPF – Universal Peace Federation: the US-based international branch of Sun Myung Moon's Family Federation for World Peace and Unification *inter alia* organizing leadership conferences and regional peace initiatives<sup>21</sup>
- the ATOP – Association for Trauma Outreach and Prevention 'Meaningfulworld': an NGO promoting the advancement of knowledge about the consequences of traumatic events with offices in Canada, the US, the Democratic Republic of Congo and Pakistan<sup>22</sup>

- the BSS – Bharat Sevashram Sangha: an NGO from India focusing on social welfare<sup>23</sup>
- the Tribal Link Foundation: a US-based NGO working for the empowerment of indigenous people<sup>24</sup>
- the IISD – International Institute of Social Development: an NGO to ‘build a better world’ and play a contributive role in the vision of ‘one earth one family’ with headquarters in the US<sup>25</sup>
- the NES – National Ethical Service: a US-based NGO dedicated to promoting and enhancing the highest principles at the United Nations, the American Ethical Union and the Culture of Peace worldwide<sup>26</sup>
- the SMCS – Sukyo Mahikari Centers for Spiritual Development: a spiritual and community service organization with headquarters in Japan teaching the transmission of light energy that purifies the spiritual aspects of people and all things.<sup>27</sup>

This list illustrates that the descriptor ‘spiritual’ adds NGOs to the discussion that can be specified by three features: first, these are RINGOs that scholars of religion would position in the wider context of ‘new religious movements’ or the ‘spiritual revolution’ (Heelas & Woodhead 2005; Höllinger & Tripold 2012). Second, the NGOs active at CSVGC include neither human rights nor peace NGOs without explicit religious affiliation or interreligious NGOs. Third, CSVGC is the only network here that formally connects its members via the CoNGO to the wider NGO community.

This brings us back to the debates that served as the starting-point of the present considerations as well as the notion of ‘religious affiliation’ as a concept of analysis.

## 5. Significance of the analysis of religiously affiliated NGOs

Taken together, the above observations should underline the significance of ‘religion’ as a basis for NGO mobilization within the context of the UN. There are an extensive number of NGOs that use descriptors from the wider semantic field of ‘religion’ to characterize their activities. It would be a mistake to neglect these organizations in the analysis of international relations.

At the same time, the RINGO networks further substantiate the significance of the theoretical debates that have been summarized in sections 2 and 3:

- First, they underline the complexity of the construction of RINGOs in the field. The notion of RINGO – as a category of practice – is used by various NGOs and in a variety of different ways.
- Second, the above observations suggest that the field of RINGO activities is characterized by a process of expansion. Those NGOs that are (self-)described as religious, faith-based or spiritual are no longer dominated by Christian denominations or specific strands of other religious traditions.
- Third, the previous sections highlight an interesting friction in the present-day dynamics. Almost all the RINGOs use the notion of ‘spirituality’ to describe their activities. On top of this, CSVGC is adding a distinct set of RINGOs to the picture.
- Fourth, there seem to be fuzzy boundaries between ‘religious’ and ‘secular’ NGOs. NGOs such as the International Peace Institute or Amnesty International are perceived as at least compatible with the other RINGOs.
- Finally, all of this has consequences for the discussion on the impact of the RINGOs. In the context of the UN all these diverse organizations use the formal status of the NGO to get access to the UN. This affects the way they work within this particular context.

To better understand these phenomena, the author proposes to use the concept of ‘religious affiliation’ as a starting-point for further analyses: as has already been argued at the end of section 2, any analysis of religion in the context of international relations seems well advised to use a rather narrow concept of religion that helps to identify specific socio-cultural fields. Here, the author finds Gladigow’s concept of religion helpful that conceptualizes religion as a system of symbols that is (a) characterized by its bearers with reference to undeniable, collectively binding and authoritatively given principles, and (b) constructed on the three analytically distinct (yet empirically interdependent) levels of individual religiosity, religious organizations/movements and general social discourses.

On this basis, the concept of ‘affiliation’ helps us to move away from all-too-simplistic, generic concepts of RINGOs. It underlines that there are NGOs that – on the meso-level – uphold (a) explicit references to systems of religious symbols in their self-description as well as (b) formal links to all types of organizations and movements that make explicit references to systems of religious symbols. These processes are, however, analytically distinct from individual beliefs and the constructions of general discourses – for example, the human rights discourse or the development discourse.

In sum, the concept of religious affiliation proposes to grasp these NGOs as a group of NGOs that is distinct yet highly heterogeneous and with only fuzzy boundaries to other groups of NGOs. Such an approach opens up new fields for discussion. To name but two:

First, it directs our attention to the fact that these processes of affiliation are highly complex ones that cannot properly be understood without taking the underlying power structures into consideration. One has to keep in mind that affiliation is a multi-layered, social process that has to be achieved or imposed. Analyses have to keep these processes in mind while dealing with RINGOs.

Second, the idea of religious affiliations puts particular emphasis on the ways in which affiliation is constructed. In the context of the UN, this is frequently done by formal representation. The RINGO activities at the UN are almost exclusively undertaken by professionals that know how to manoeuvre in a context such as the UN. It would be a mistake to identify their activities with the activities of specific religious communities. They are affiliated with these wider bodies.

All of this asks for further empirical and systematic research: in the context of international relations, the analyses should place further emphasis on the specific ambiguities that are characterizing this field. On this basis it would be interesting, for example, to learn more about their position in existing NGO networks as well as their influence on political decisions. More generally speaking, future analyses have to further investigate the processes that lead to religious affiliation in the first place. For example, there is an urgent need to include classic demographic categories in the typologies.

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## Notes

- 1 To take the Commission of the Churches on International Affairs (CCIA) of the World Council of Churches (WCC) as but one example: [www.oikoumene.org/en/what-we-do/ccia](http://www.oikoumene.org/en/what-we-do/ccia) (13.1.2018); <http://archived.oikoumene.org/en/who-are-we/organization-structure/consultative-bodies/international-affairs.html> (13.1.2018).

- 2 See the first two chapters in this volume by Davies and Götz.
- 3 And this becomes even more complex as soon as one takes a global stance to look at the multiple levels of the semantics of religion (Beyer 2006; Casanova 2009).
- 4 The original German text states: *'unbezweifelbare, kollektiv verbindliche und autoritativ vorgegebene Prinzipien'*. See also: Gladigow 2005.
- 5 Among the classics in the field: Thomas 2005; Petito and Hatzopoulos 2003; Haynes 2007b.
- 6 See also: Fountain and Feener 2017; The Religious Studies Project (ed.), NGOs Series <https://religiousstudiesproject.com/tag/ngos-series> (13.1.2018).
- 7 Among the first publications in the field: Benthall and Bellion-Jourdan 2003; Ghandour 2002; Haynes 2007a.
- 8 In addition, the above criteria exclude all those NGOs that are not formally accredited to the UN (e.g. most national and regional NGOs) as well as state actors (e.g. the Holy See or the Organization of Islamic Cooperation (OIC)).
- 9 <https://rngos.wordpress.com> (13.1.2018).
- 10 <https://rngos.wordpress.com/about> (13.1.2018).
- 11 <http://worldinterfaithharmonyweek.com> (13.1.2018).
- 12 Facebook site of the Center: <https://de-de.facebook.com/church.center.un> (13.1.2018).
- 13 Mary Beth Coudal, 'A Jewel for Peace, The Church Center for the United Nations turns 50', <http://web.archive.org/web/20131028005646/http://new.gbgbm-umc.org/umw/response/articles/item/index.cfm?id=1198> (13.1.2018).
- 14 Unfortunately, the United Methodists Women have not been able to provide me with an up-to-date list of the NGOs active at the Church Center. The following considerations are based upon an intense web-search that produced 28 NGOs with offices in the building.
- 15 <www.facebook.com/church.center.un> (13.1.2018).
- 16 <http://csvgc-ny.org> (13.1.2018).
- 17 <http://csvgc-ny.org> (About Us) (13.1.2018).
- 18 <http://csvgc-ny.org/working-groups> (13.1.2018).
- 19 Unfortunately, CSVGC has not been able to provide me with an up-to-date list of its members. The website gives, however, the affiliation of the Executive Council Members and Officers as well as a list of the founding members in 2004.
- 20 There is only one NGO that is officially linked to all three networks described above: The Temple of Understanding. Some RINGOs are members of two of the networks (e.g. Pax Christi International and the Baha'i International Community). In most cases, however, the above networks stand for distinct segments of RINGOs in the context of the UN.
- 21 <www.upf.org> (13.1.2018).
- 22 <http://meaningfulworld.com/association-for-trauma-outreach-and-prevention> (13.1.2018).
- 23 <www.bharatsevashramsangha.net> (13.1.2018).
- 24 <https://www.triballink.org> (13.1.2018).
- 25 <http://iisd-ngo-us.org> (13.1.2018).
- 26 <http://nationalserviceaeu.org> (13.1.2018).
- 27 <www.sukyomahikari.org> (13.1.2018).

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**Part IV**

# Regional perspectives

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# Transnational NGOs in the United States

*George E. Mitchell*<sup>1</sup>

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The United States has played a significant role in the development, growth, and nurturing of the global transnational NGO (TNGO) sector, both through its domestic policies and through its international engagement abroad. Throughout the twentieth century, and particularly after World War II, the domestic social, legal, and financial environment, coupled with US foreign policy imperatives, have contributed to a favorable setting for TNGOs. This chapter provides an overview of the historical context, funding environment, and accountability architecture for TNGOs in the United States, and describes specific attributes of US TNGOs and of the sector overall.

## **The US environment**

The United States played a formative role in the early development of the modern TNGO sector. Indeed, one of the earliest known usages of the term ‘NGO’ is attributed to the US State Department during the negotiations surrounding the United Nations Conference on International Organization in 1945, which itself took place in the United States in San Francisco, California (Götz 2008).<sup>2</sup> In 2017, US-headquartered TNGOs comprised 32 percent of all TNGOs with consultative status with the UN’s ECOSOC.<sup>3</sup> The United States has been home to more TNGOs than any other country (UIA 2003/2004).

Public policy in the United States has actively sought to encourage a vibrant charitable sector, which has proven to be very conducive to the flourishing of TNGOs in the United States. Throughout the twentieth century and beyond, the United States has employed the voluntary sector as a vehicle for relieving itself of burdens that might otherwise fall to government, strengthening social safety nets, promoting domestic economic stability, supporting US foreign policy objectives abroad through official development assistance, and improving the efficiency of public service delivery through competitive contracting to private organizations. Private philanthropy has also been a major contributor to the vibrancy of the sector, with many prominent philanthropists and several large foundations shaping the sector’s character over time. Despite these favorable circumstances, the sector has also faced, and continues to face, significant challenges at home and abroad. Nevertheless, the US TNGO sector continues to expand as organizations grow and change in a complex and dynamic environment.

## ***Political and financial environment***

Government policy has been a major catalyst in the development of the US TNGO sector. Amid rising taxes stemming from the introduction of federal income taxation in 1913 and the fiscal demands of US entry into World War I, the Revenue Act of 1917 subsequently established an individual income tax deduction for donations to public charities as a means of encouraging private philanthropy (Arnsberger et al. 2008). Decades later, in the aftermath of World War II, the European Recovery Act of 1947, or ‘Marshall Plan,’ created a vast program to facilitate the rehabilitation and reconstruction of Europe. This enterprise helped to establish the identity of the United States as a premier provider of foreign assistance and promotor of international development.

The Internal Revenue Act of 1954 created the modern institution of the tax-exempt ‘501c3’ public charity, which is the legal persona generally adopted by TNGOs in the United States. Postwar international norms establishing international development as a moral and practical obligation (Chabbott 1999), conducive domestic fiscal policy, and the imperatives of postwar relief and recovery all catalyzed growth in the US TNGO sector throughout the postwar period. The ‘international’ subsector of US public charities continues to experience relatively high rates of annual growth. Between 2003 and 2013, the number of TNGOs in the United States grew by 19.3 percent (from 5,283 to 6,305 organizations), with combined annual revenues growing by 49.7 percent in real terms to \$32.4 billion (McKeever 2015).<sup>4</sup>

The international development norm strengthened during the Cold War as foreign assistance became an instrument of foreign policy to maintain the balance of power between the West and the Soviet Bloc. The Foreign Assistance Act of 1961 created the US Agency for International Development, which became a major provider of international development assistance to developing countries beyond Europe (Brinkerhoff 2008).

Later, in the context of the New Public Management (Haque 2009) of the 1980s and 1990s and a movement in the United States aimed at ‘Reinventing Government’ (Osborne 1993; Williams 2000), multiple US administrations introduced initiatives to downsize and decentralize government and improve efficiency by outsourcing public services to private for-profit and non-profit organizations. In accordance with this ‘New Policy Agenda,’ NGOs increasingly became intermediaries in traditionally bilateral aid chains (Edwards and Hulme 1996). The rapid growth in the US TNGO sector and the reliance of the US government on TNGOs in the delivery of foreign assistance required coordination across the US TNGO community, eventually leading to the creation in 1984 of the alliance organization InterAction. InterAction remains the largest such alliance in the United States. It plays a prominent role as a convener, thought-leader, and standard-setting organization that broadly represents the US TNGO community (Mitchell 2014e).

The New Policy Agenda of the 1990s coincided with the global geopolitical transformation that followed the fall of the Berlin Wall in 1989. By 1991, the United States had asserted the George H. W. Bush administration’s vision of a ‘New World Order,’ which was forcefully demonstrated by American leadership in the Gulf War. In the wake of the US-led coalition’s rapid and decisive military victory, the United States emerged as a global hegemon and presumptive guarantor of international stability. But the decades of the 1990s and 2000s introduced new and unforeseen challenges. ‘Failed states’ emerged in the vacuum left by the demise of the Soviet Union and the collapse of bipolar stability. US-based TNGOs became important providers of humanitarian aid in the wake of ethnic conflicts in the Balkans, Rwanda, and elsewhere, and became providers of ‘technical assistance’ to help formerly socialist states adapt to global capitalism and integrate into the newly transformed international system. Billionaire Hungarian-American investor George Soros’s Open Society Foundations are among the many US-based philanthropic institutions that played an important role in supporting social and economic transition in the post-Cold War period, and his organizations remain active in Europe

and globally. Soros's Foundation to Promote Open Society reported total assets of USD \$7.3 billion and annual expenses of USD \$435 million in 2015.<sup>5</sup> In 2017 Soros disclosed transfers to the Open Society Foundations totaling an additional USD \$18 billion (Gelles 2017).

Although the United States has long enjoyed a strong tradition of institutional philanthropy, the philanthropic ecosystem expanded and transformed markedly throughout the 2000s and 2010s. In 2000, for example, Microsoft cofounder Bill Gates and his wife, Melinda Gates, merged their pre-existing foundations to establish the Bill & Melinda Gates Foundation.<sup>6</sup> In 2010, Bill and Melinda Gates joined Berkshire Hathaway CEO Warren Buffett to announce the 'Giving Pledge,' initially a US-oriented initiative that became global in 2013.<sup>7</sup> Billionaires sign the pledge to commit their fortunes to philanthropy. The Bill & Melinda Gates Foundation, which is supported by contributions from the Gates and Warren Buffett, reported over USD \$40.4 billion in assets in 2015 and USD \$4.7 billion in annual expenditures.<sup>8</sup> These and other foundations have become significant sources of support for many TNGOs, as well as many other types of recipients working in areas such as democracy promotion and global health. Other prominent foundations based in the United States that fund international development, human rights promotion, or related activities include the Ford Foundation, the William and Flora Hewlett Foundation, the United Nations Foundation, the John D. and Catherine T. MacArthur Foundation, the Conrad N. Hilton Foundation, the Rockefeller Foundation, and the Gordon and Betty Moore Foundation, among others (Salazar 2011).

The philanthropic landscape in the United States continues to evolve as newer generations of social entrepreneurs experiment with impact investing and other innovations that blur the lines between traditional philanthropy and business enterprise. In 2015, for example, Facebook cofounder Mark Zuckerberg and his wife Priscilla Chan announced their intention to commit 99 percent of their estimated USD \$45 billion fortune to advance social causes. Although they chose to sidestep traditional 501c3 philanthropic vehicles in favor of a limited liability company (Levine 2015; Hrywna 2016), their announcement is emblematic of a vibrant entrepreneurial culture in the United States supportive of the missions of many TNGOs.

More than a half-century after the establishment of USAID, the US government still remains an important supporter of international development and of the TNGO sector broadly. In 2013, the United States in total channeled USD \$6.3 billion in official development assistance (ODA) through NGOs, representing 23 percent of all US bilateral aid (OECD 2015).

USAID's aggregate budget figures suggest its general priorities. As shown in Tables 29.1 and 29.2, the top country recipients of USAID assistance have included Afghanistan, Ethiopia, and Pakistan, while its top sectoral priorities have included population policies and reproductive health, emergency response, and basic health (USAID 2017).

*Table 29.1* Top ten country recipients of USAID assistance<sup>a</sup>

<i>Country</i>	<i>Expenditures (USD millions)</i>
Afghanistan	1,263
Ethiopia	802
Pakistan	652
Syria	570
South Sudan	551
Jordan	478
Kenya	460
Nigeria	361
Uganda	341
Liberia	315

<sup>a</sup>Statistics describe the 2016 fiscal year in nominal dollars (USAID 2017).

Table 29.2 USAID expenditures by sector<sup>a</sup>

Sector	Expenditures (USD millions)
Population Policies and Reproductive Health	5,240
Emergency Response	3,301
Operating Expenses	1,641
Basic Health	1,365
Government and Civil Society	1,262
Agriculture	1,237
Basic Education	793
Other Multisector	638
General Environmental Protection	520
Conflict, Peace, and Security	409

<sup>a</sup>Statistics describe the 2016 fiscal year in nominal dollars (USAID 2017).

In 2014, USAID provided USD \$2.3 billion in support to US NGOs, representing about 8 percent of supported NGO revenues. Figure 29.1 displays USAID support trends over time and Figure 29.2 displays the distribution of supported activities by sector. USAID support generally only accounts for a relatively modest proportion of supported NGOs’ total revenues.<sup>9</sup>

As a percentage of the federal budget, US government spending on foreign assistance has remained modest over time, alongside relatively adverse public attitudes about foreign aid. In public opinion polls majorities of Americans consistently report that the US spends too much on foreign aid, while dramatically overestimating the percentage of the US federal budget that they believe foreign aid constitutes. Although foreign aid comprises less than 1 percent of the federal budget, most Americans place the percentage at about one-quarter (Kaiser Family Foundation 2014).

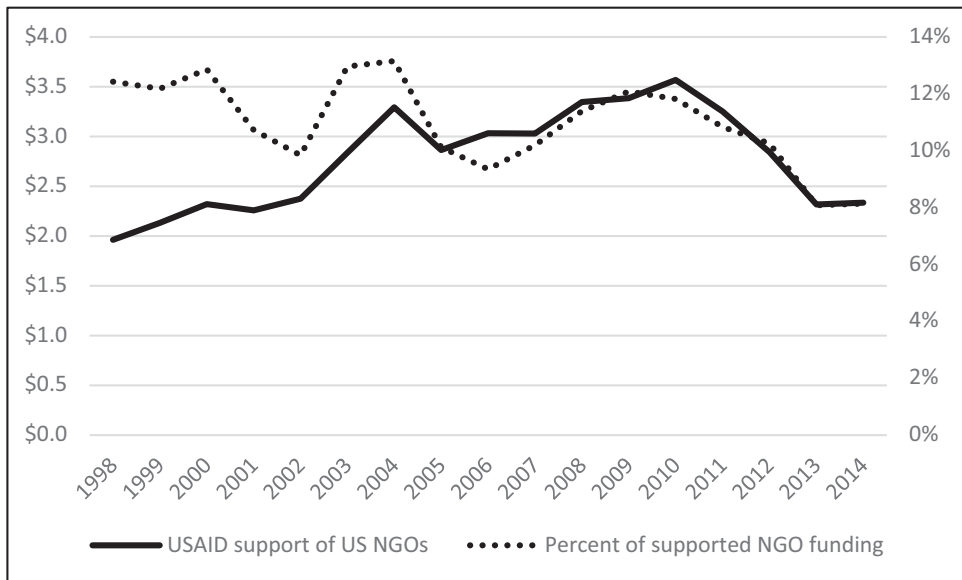


Figure 29.1 USAID support of US NGOs<sup>a</sup>

<sup>a</sup>Monetary values are shown in constant 2014 US billions of dollars. Source: USAID VOLAG reports 2000–2016.



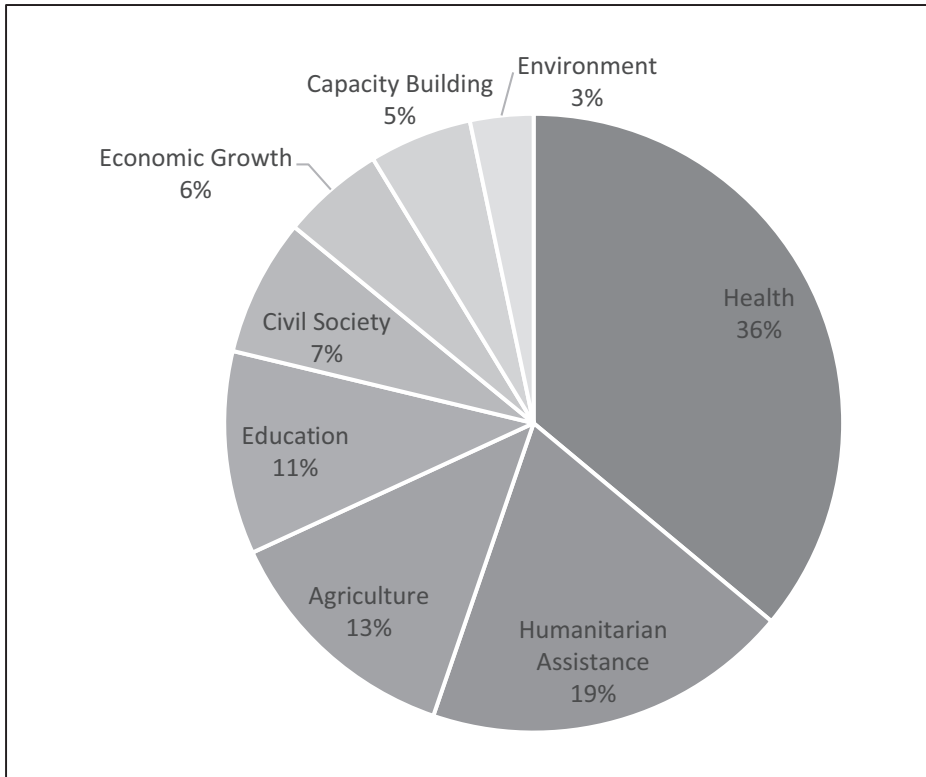


Figure 29.2 Focus areas of USAID-supported NGOs<sup>a</sup>

<sup>a</sup>Chart displays data for all USAID-supported NGOs in 2014. Source: USAID VOLAG reports 2000–2016.

### ***Environmental challenges***

As much as TNGOs benefit from the US government's global engagement, the events of September 11, 2001 marked a turning point in state–civil society relations in the US and abroad. The George W. Bush Administration's global 'War on Terror' appeared to prioritize US national security interests over many other traditional US foreign policy goals related to human rights and democracy promotion (CIVICUS 2012). As the United States' priorities shifted, foreign governments likewise perceived a window of opportunity to push back against civil society to stymie or reverse significant gains that had been made in the period between the end of the Cold War and 9/11. More recently, the Donald J. Trump administration's 2018 budget proposal requested a 28 percent cut to the Department of State and USAID, the elimination of funding for various climate change initiatives, and significantly reduced funding for multilateral development banks including the World Bank (OMB 2017). Moreover, rising ethnonationalism and anti-globalism in the United States and Europe has contributed to a backlash against conventional norms of US-backed liberal internationalism established at Bretton Woods in the aftermath of WWII. Many US TNGOs and other global civil society organizations around the world now face growing skepticism and resistance. In Hungary, for example, George Soros and his Open Society Foundations have come under attack by the state, state-controlled media, and groups such as Operation Stop Soros (Dunai 2017).

Skepticism about the TNGO community within the United States comes from many quarters. In particular, many practitioners point to the 2010 Haiti earthquake as a watershed moment for public opinion about the TNGO sector. The severity and proximity of the humanitarian crisis shined a spotlight on the substantial and enduring TNGO presence in Haiti, only to raise serious questions even years later about the effectiveness and fiscal propriety of organizations working there—and elsewhere around the world. Presented with an opportunity to demonstrate its effectiveness, legitimacy, and relevance to the US public and to the world, the TNGO community largely failed to deliver, instead incurring accusations of financial mismanagement (Sullivan 2015), poor coordination, operational ineffectiveness, unintended negative consequences, and even ‘humanitarian neocolonialism’ (Córdoba 2010; Schuller 2012; Schuller and Morales 2012). The broader sense of dysfunction and skepticism symbolized by the scandals and backlash following the 2010 Haiti earthquake response continues to reverberate throughout the sector. Many NGOs have initiated significant organizational change processes in response to these and many other longstanding challenges to their traditional models of operating (Ronalds 2010).

### **Accountability architecture: legal and cultural context**

In the United States, TNGOs are typically registered as ‘public charities.’ This designation exempts organizations from taxation and enables donors to make tax-deductible contributions in accordance with section 501c3 of the Internal Revenue Code. For this reason, public charities are often referred to as ‘501c3s.’ The 501c3 designation is extremely broad and many very different types of non-profit organization fall within it, including hospitals, schools, and religious organizations. Of the 293,103 reporting public charities in the US in 2013, 6,305, or about 2.2 percent, identified themselves as ‘international’ (McKeever 2015).<sup>10</sup> Much of what is known about the US non-profit sector is derived from the Internal Revenue Service (IRS) Form 990, which certain non-profits must file with the IRS and make available for public inspection. However, only about 35 percent of non-profits file the more extensive versions of the form, and so very little is known about the vast majority of much smaller organizations for which detailed information is not readily available.

TNGOs in the United States typically incorporate under state laws that provide additional state-level tax advantages for organizations that receive exemption under section 501c3. Although these laws vary by state, the existence of the federal exemption requirements provides a degree of national uniformity to the TNGO’s legal persona. In the US, the IRS has become a *de facto* TNGO regulator in its capacity to administer the federal tax code and require public disclosures through the Form 990. The United States has no federal regulatory body specifically empowered to oversee the TNGO sector.

As ‘public charities,’ TNGOs in the United States exist in a legal and social context that emphasizes fiscal stewardship and organizational trustworthiness. Mandatory financial disclosures in the Form 990 are rigorously scrutinized by funders, information intermediaries, and so-called ‘watchdog’ organizations. Many of these stakeholders are concerned with identifying possible improprieties in organizations’ cost structures that could be construed as diversions of resources toward purposes other than direct spending on current programs. Although legally TNGOs have significant latitude in their spending practices, social norms enforced by information intermediaries (such as Charity Navigator, the Better Business Bureau-Wise Giving Alliance, and various other websites and media organizations) and funders effectually pressure organizations to minimize overhead (the ratio of fundraising and administrative costs to total costs), and minimize accumulated reserves and officer compensation, among other practices (Mitchell 2015b, 2016).

The IRS, state regulators, information intermediaries, and the various other online and media organizations in the United States that surveil TNGO spending practices are influential in the US philanthropic ecosystem. These institutions collectively comprise the overarching accountability architecture for TNGOs, mainly for financial accountability to donors (Schmitz, Raggio, and Vijfeijken 2012) and for conformity to sectoral norms that establish appropriate financial benchmarks against which TNGOs are judged alongside other non-profits (Mitchell 2014b, 2016). As a relatively small subsector of public charity that typically fundraises at home in support of distant programs, TNGOs tend to be scrutinized more for fiscal propriety than for the substantive impact of their programs abroad. A few organizations attempt to evaluate TNGO impact, such as ImpactMatters and GiveWell, but these initiatives operate on a relatively small scale. For example, of the many thousands of TNGOs registered in the United States, GiveWell only recommended nine in 2017.<sup>11</sup>

Some US TNGOs choose to subscribe to various ‘accountability clubs’ offering global standards or codes of conduct that articulate specific norms and principles, such as The Global Standard for CSO Accountability and Sphere (Gugerty, Sidel, and Bies 2010; Gugerty 2009; Tremblay-Boire, Prakash, and Gugerty 2016). Domestically, InterAction members are required to self-certify compliance with InterAction’s private voluntary organization (PVO) Standards, which provide guidelines for governance, transparency, finances, marketing and fundraising, management, and programs.<sup>12</sup> TNGOs can also voluntarily provide information about their impact through online platforms such as GuideStar Platinum.<sup>13</sup> The US TNGO accountability architecture as a whole appears to be gradually deemphasizing the historical reliance on cost ratios in favor of an approach intended to enhance the visibility and accessibility of impact-related information (Ogden et al. 2009). Charity Navigator is the largest and most popular information intermediary in the United States and is known for its ratings and rankings of non-profits based on numerical scores derived from IRS Form 990 financial disclosures. It launched a ‘results reporting’ initiative several years ago, and more recently launched a collaboration with GuideStar, GlobalGiving, Classy, and ImpactMatters to display information related to impact alongside their conventional ‘star’ ratings.<sup>14</sup> Although the domestic accountability architecture for NGOs continues to evolve in this direction, the extent of such change is critically limited by the unavailability of underlying data. At the federal level, TNGOs in the United States are not legally required to collect or report information about their impact, and donors are generally averse to funding activities that represent overhead or indirect costs (Marudas 2015; Weisbrod and Dominguez 1986; Posnett and Sandler 1989; Callen 1994; Khanna, Posnett, and Sandler 1995; Tinkelman 1998, 1999; Khanna and Sandler 2000; Okten and Weisbrod 2000; Tinkelman 2004; Marudas and Jacobs 2004; Tinkelman and Mankaney 2007; Jacobs and Marudas 2009; Gordon, Knock, and Neely 2009; Kitching 2009; Marudas 2004), such as those attendant to monitoring, evaluation, accountability, and learning. Indeed, impact-oriented philanthropy represents only a small fraction of charitable giving in the United States (Hope Consulting 2010).

Relative to other countries, the cultural environment in which TNGOs exist in the United States is characterized by norms of efficiency and pragmatism (Stroup 2012), and appears to preferentially reward organizations that substantially provide direct services relative to those that pursue more abstract strategies involving transformative political activism (Mitchell 2014d). For example, US-based TNGOs have been comparatively slow to adopt more overtly political strategies such as rights-based approaches (RBA) to development (Schmitz and Mitchell 2016). Domestically, US-based TNGOs are prohibited from political campaigning, which is defined as explicitly supporting or opposing candidates for political office. Lobbying to influence legislation is permitted but restricted to an ‘insubstantial part’ of an organization’s activities.<sup>15</sup>

The legal restrictions on lobbying also tend to reinforce a notion that ‘excessive’ political behavior on the part of TNGOs registered in the US as public charities is inappropriate. Although general advocacy is legally permissible without limitation, the sensitivity toward lobbying appears to exert a ‘chilling effect’ throughout the sector. In interviews, many US-based TNGO leaders downplay their organizations’ political activities, preferring instead to emphasize the ‘apolitical’ dimensions of their organizations’ work (Mitchell 2014d). There are other types of entity in the United States that are permitted to lobby without limitation and to electioneer, but these entities receive less advantageous tax status and are perceived differently by the public. Thus, for legal as well as cultural reasons, many US-based TNGOs maintain at least a rhetorical aversion to politics, even if they and their foreign affiliates are clearly engaged in some degree of politically relevant activism at home and abroad. There are of course exceptions to this pattern, but overall, domestic conditions in the US can make overt politicization challenging.

However, reform efforts in 2017 attempted to alter the domestic legal environment for US public charities, including TNGOs. In response to a campaign led by a coalition of conservative Christian evangelical organizations, Donald J. Trump signed an executive order intended to direct the IRS to avoid taking ‘adverse actions’ against non-profits, especially churches, for violating the so-called ‘Johnson amendment’ – the provision of the Internal Revenue Code that prohibits 501c3s from electioneering. Subsequent tax bills included language to effectually repeal this provision. These reform initiatives have met with overwhelming opposition from the US non-profit community, which fears that weakening the restriction against electioneering will politicize non-profits and erode public trust in the sector (O’Neil 2017; McCambridge 2017; Editors 2017; Wagner and Bailey 2017; Colinvaux 2017).

## **Sectoral and organizational attributes**

Many of the world’s largest and most influential TNGOs and global TNGO ‘families’ are based in, or have a substantial presence in, the United States. However, most of the sector consists of relatively small organizations. Analysis of IRS disclosures allows for a basic financial description of the US TNGO sector, although information about organizations’ programs, goals, and effectiveness is sparse. Nevertheless, some basic descriptions are possible.

### ***Sectoral attributes***

Resource distribution within the US TNGO sector is extremely unequal, with a small minority of organizations receiving the vast majority of the sector’s total revenues. On a scale of zero to one, in which zero indicates perfect equality and one indicates perfect inequality, the Gini coefficient for the US TNGO sector is approximately 0.94. The level of inequality peaked at 0.95 in 2009 during the ‘Great Recession,’ although annual growth in the overall number of organizations remained consistently positive throughout 2006–2010. Table 29.3 ranks the largest TNGOs in the United States (with average annual total revenues over USD \$100 million) by average annual total revenues.<sup>16</sup> For completeness, Figure 29.3 summarizes the statistical distribution of ‘small-sized’ TNGOs and Figure 29.4 summarizes the distribution of ‘medium-sized’ TNGOs. These distributions are drawn from the population of 501c3 public charities in the United States designated as international and do not accurately reflect the presence of foreign affiliates in global TNGO families.<sup>17</sup> Many global TNGO families are composed of multiple subnational, national, and regional affiliates with separate legal personas under the laws of the various host governments.

Table 29.3 Distribution of large-sized TNGOs<sup>a</sup>

<i>Organization</i>	<i>Total revenues (USD millions)</i>
Food for the Poor Inc	1,108.81
World Vision	1,056.48
Nature Conservancy	1,041.66
International Committee of the Red Cross <sup>b</sup>	1,005.34
Americares Foundation Inc	953.49
Feed the Children	897.00
University of Western Ontario Foundation Inc	801.56
Cooperative for Assistance and Relief Everywhere Inc – CARE	641.18
Jewish Agency for Israel	550.32
Plan International Inc	484.00
Brother’s Brother Foundation	445.29
International Relief and Development	428.79
Academy for Educational Development Inc	410.26
Compassion International Incorporated	397.96
Save the Children Federation Inc	361.04
MAP International	336.67
Population Services International	332.08
Operation Blessing International Relief and Development Corporation	320.19
Family Health International	310.08
Samaritan’s Purse	309.58
Institute of International Education Inc	290.71
International Rescue Committee	274.46
United Israel Appeal Inc	273.63
Direct Relief International	260.32
CHF International	248.88
American Jewish Joint Distribution Committee Inc	248.03
ChildFund International USA	219.08
PATH	218.59
Mercy Corps	209.27
Catholic Medical Mission Board Inc	204.65
Partnership for Supply Chain Management Inc	203.44
William J. Clinton Foundation	178.96
Clinton Health Access Initiative Inc	173.70
Doctors Without Borders USA Inc	172.53
Management Sciences for Health Inc	170.52
Christian Aid Ministries	159.28
United Nations Foundation Inc	155.61
Fundacion de la Universidad del Valle de Guatemala	151.54
The National Cancer Coalition Inc	148.66
American Nicaraguan Foundation Inc	146.54
Pact Inc	144.84
JSI Research & Training Institute Inc	143.53
Children International	136.47
Kingsway Charities Inc	134.13
Interchurch Medical Assistance Inc	132.98
Asia Foundation	129.63
National Endowment for Democracy	124.34
National Democratic Institute for International Affairs	121.42
Sightsavers International Inc	119.57
The Carter Center Inc	116.52
Consortium for Elections and Political Process Strengthening	116.26
Food for the Hungry Inc	114.56

(continued)

(continued)

Organization	Total revenues (USD millions)
World Learning Inc	110.46
ACDI VOCA	109.66
Hadassah Medical Relief Association	109.49
Islamic Relief USA	106.17
International Medical Corps	105.98
American Hospital of Paris	100.06

<sup>a</sup>Statistics represent average annual (nominal) total revenues (inclusive of any government contributions) over the period 2006–2010 and are presented in USD millions for convenience of display. Data are obtained from the National Center for Charitable Statistics core public charity data files for the respective years. Selected organizations are those designated as ‘international’ according to the National Taxonomy of Exempt Entities ‘major group 12’ classification with average annual total revenues exceeding USD \$100 million. Note that the list of organizations is based on IRS Form 990 records for ‘international public charities.’ Organizations may be included that are not US TNGOs from an international relations perspective.

<sup>b</sup>Although the International Committee of the Red Cross is not a US TNGO but “a private association formed under the Swiss Civil Code,” it is included because it files a Form 990 with the US Internal Revenue Service. See: <https://www.icrc.org/en/doc/resources/documents/misc/5w9fjy.htm>.

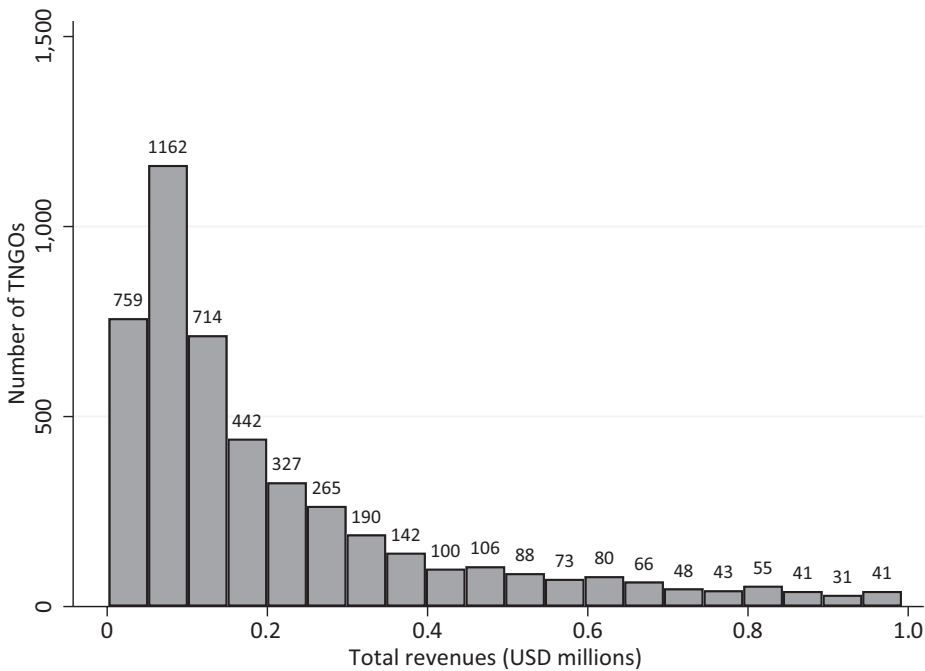


Figure 29.3 Distribution of small-sized TNGOs

Although basic financial data describing larger TNGOs in the United States are widely available, information about the substantive activities of TNGOs is rarer as they are not required to systematically disclose information about their impact to the public. Nevertheless, some TNGOs voluntarily reveal such information. For example, InterAction provides some incomplete data for a subset of its member organizations. These organizations are most active in India

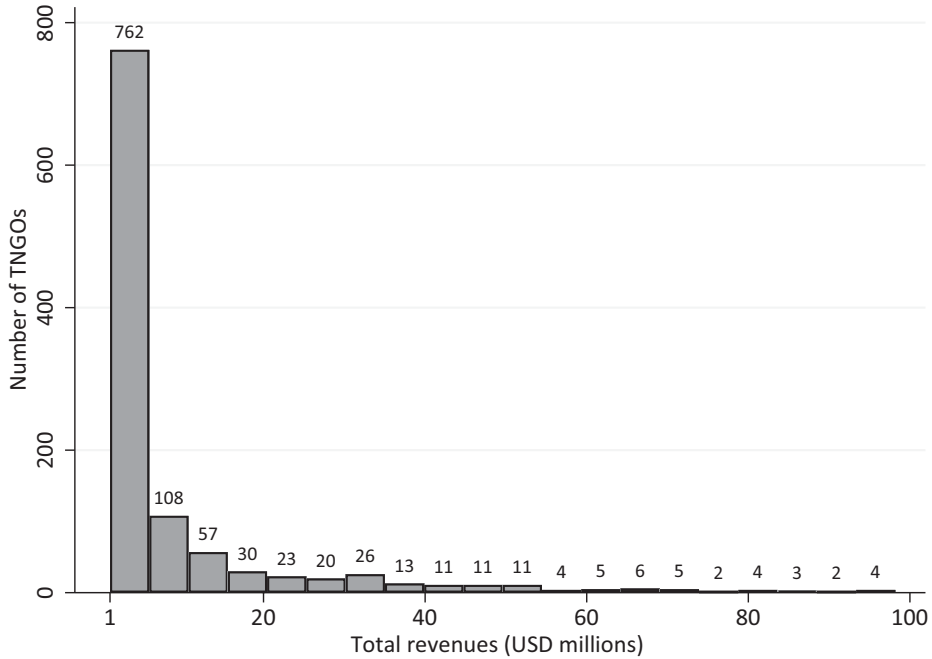


Figure 29.4 Distribution of medium-sized TNGOs

(151 projects), Bangladesh (106 projects), and Kenya (93 projects), and their most common sectors of activity include health, education, and agriculture.<sup>18</sup> Table 29.4 displays the full distribution of projects among reporting InterAction members. However, these distributions are probably not representative of any broader population.

Although still not statistically representative of the sector as a whole, the Transnational NGO Initiative's interview project remains one of the most detailed studies of the US TNGO sector to date.<sup>19</sup> The combined revenues of sampled organizations account for approximately two-thirds of the sector's aggregate revenues. The research consisted of face-to-face interviews with over 150 TNGO leaders across all major areas of activity. The interviews covered a variety of topics, including organizational strategies and obstacles and effectiveness, among many others.

### ***Organizational attributes: strategies and obstacles***

TNGOs in the US employ a variety of strategies in the pursuit of their missions. When asked to describe their organizations' missions, US TNGO leaders are most likely to discuss capacity building and technical assistance (55 percent), direct service delivery (53 percent), and public education (50 percent). Arguably more politically transformative strategies, including more explicitly ideational activities, are comparatively less common. Less than one-third (31 percent) of leaders counted advocacy among their strategies, and grassroots mobilization is even more uncommon (19 percent). Moreover, despite the centrality of ideational power and information



Table 29.4 TNGO projects by sector<sup>a</sup>

Sector	Projects
Health	1,025
Education	609
Agriculture	558
Economic Recovery and Development	489
Water Sanitation and Hygiene	332
Protection	321
Human Rights, Democracy, and Governance	217
Humanitarian Aid	160
Food Aid	145
Conflict Prevention and Resolution/Peace and Security	102
Disaster Prevention and Preparedness	101
Social Services	76
Gender	60
Other	60
Capacity Strengthening for CSOS (General)	56
Environment	56
Shelter and Housing	28
Refugee Resettlement	14
Animal Welfare	11
Communications/Technology	10
Energy	9
Construction	7
Transport/Infrastructure	3
Mining and Extractive Resources	2
Trade	2
Forestry	2
Debt Relief	2

<sup>a</sup>Statistics are based on self-reported data from 111 members of InterAction. Data include cross-listed projects.

politics in TNGO scholarship (e.g. Risse 2013; Keck and Sikkink 1998), neither research (13 percent) nor compliance monitoring (5 percent) are particularly prominent strategies as reported by TNGO leaders. These results are broadly consistent when TNGO leaders are directly asked whether their organizations are involved in specific categories of activity. While most leaders affirm that their organizations provide direct aid and services (80 percent), only minorities agreed that public mobilization (20 percent), advocacy (28 percent), or compliance monitoring (12 percent) are primary organizational activities.

Although some materialist accounts of TNGO behavior portray funding as a principal objective of TNGOs (Cooley and Ron 2002; Bob 2005), NGO leaders report funding as their primary obstacle (73 percent). Leaders' understandings of organizational behavior appear to be consistent with a logic of 'principled instrumentalism' in which TNGOs are constrained optimizers that attempt to maximize long-term impact given their principled commitments and dynamic budget constraints (Mitchell 2014c). This poses a challenge for US-based TNGOs, however, because domestic norms construe fundraising expenditures intended to relax future budget constraints as diversions of donor resources away from current programs. TNGO leaders frequently lament the difficulty of obtaining the unrestricted funding required to maintain core infrastructure and support organizational growth, capacity, and resilience, as donors generally prefer to restrict their funding to current programs (Queenan, Allen, and Tuomala 2013). The

dilemma is exacerbated by patterns of organizational surveillance in the United States in which an organization's immediate fundraising expenditures, administrative expenditures, and reserve accumulations are rigorously monitored, whereas the substantive results of TNGO spending are usually not widely observed or reported.

### ***Organizational attributes: effectiveness***

When asked to define organizational effectiveness, most TNGO leaders (82 percent) describe 'outcome accountability' and a minority describe 'overhead minimization' (Mitchell 2013). Under the outcome accountability conceptualization, leaders believe that their organizations are effective when they achieve the goals that they promised to achieve, while under the overhead minimization perspective, leaders associate effectiveness with low cost ratios such as the overhead or indirect cost rate.

TNGO leaders were also asked to describe the attributes of peer organizations that they regarded as particularly effective. In their responses, leaders stressed the instantiation of sound principles or strategy (45 percent), grassroots approaches (27 percent), large organizational size and resources (26 percent), being collaborative (24 percent), singleness of focus (23 percent), campaigning abilities (23 percent), funding and fundraising prowess (21 percent), global scope or large scale (20 percent), and quality people (20 percent). Moreover, TNGOs with leaders who value similarities with peer organizations, grassroots approaches, diverse strategies, dedication, professionalism, and distributed organizational structures enjoy significantly higher reputations for organizational effectiveness (Mitchell 2015a).

Since TNGOs may rely upon ideational power to exert influence, a TNGO's reputation for effectiveness can significantly contribute to its authority. Reputations for effectiveness are especially important in the information-scarce environment in which TNGOs operate, where credible, objective information about organizational impact is rarely available. Moreover, reputation can also be instrumental for shaping patterns of collaboration, which in turn can influence organizational legitimacy (Mitchell 2014a). In the United States, larger, older, more highly visible organizations, organizations adopting hybrid strategies, and organizations headquartered in locations other than Washington, DC tend to have higher reputations for organizational effectiveness (Mitchell and Stroup 2016).

The difficulties of defining and measuring organizational effectiveness have proven to be particularly recalcitrant challenges for the TNGO community. Many organizations have sought to demonstrate their relevance and legitimacy through improved monitoring, evaluation, accountability, learning, and transparency initiatives, not only at the program level but at the agency level as well. Many larger US TNGOs have experimented with agency-level measurement (ALM) systems designed to aggregate information about programmatic impact to the organizational level. Historically, these efforts have often focused on producing highly aggregated 'count' or 'reach' data and have yielded mixed results. For example, Mercy Corps' Mission Metrics initiative created a system of highly aggregated metrics to measure organizational-level results, but the system was discontinued after three years because of its unclear value relative to its implementation costs.<sup>20</sup> Efforts to evaluate the effectiveness of specific interventions also face difficulties. For example, the International Rescue Committee undertakes rigorous research to examine the impact and cost-effectiveness of many of its programs and interventions, but the resulting knowledge can raise challenging questions about the appropriate role of cost information in programmatic decision making, the tension between immediate and long-term informational needs, and what to do when major interventions are determined to be largely ineffective.<sup>21</sup> While many US-based TNGOs maintain a rhetorical commitment to

impact measurement (Mitchell 2014e), the implementation of this commitment will remain a core challenge for many organizations for the foreseeable future.

## Conclusion

The US environment has provided fertile ground for the growth of the TNGO sector. However, the apparent favorability of the domestic US environment may also be, ironically, a constraint on the future relevance and impact of US TNGOs. The domestic accountability architecture principally focuses on organizations' financial characteristics, more so than the substantive impact of their programs, offering incentives for TNGOs to prioritize the former over the latter. In practice this can create dilemmas for organizations. For example, critical investments that increase long-term organizational impact may be avoided if they would increase short-term overhead rates (Mitchell 2016). This feature of the environment may be conducive to the continued financial success of the US TNGO sector but may also limit the sector's ability to more fully realize its global aspirations.

## Notes

- 1 The author thanks Amanda Stewart for her research assistance in the preparation of this chapter.
- 2 The language of Article 71 of the UN Charter enshrined the term, providing that 'the Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence' (Willets 2002; UN 1945).
- 3 In 2017, ECOSOC acknowledged 790 'international' NGOs with headquarters in the United States out of 2464 'international' NGOs with consultative status. See: <http://esango.un.org/civilsociety/displayAdvancedSearch.do?method=search&sessionCheck=false>.
- 4 Statistics are based on the numbers of 501c3 public charities registered with the internal revenue service and designated as 'international' according to the National Taxonomy of Exempt Entities.
- 5 Data are obtained from the Foundation to Promote Open Society's 2015 IRS Form 990-PF.
- 6 See: [www.gatesfoundation.org/Who-We-Are/General-Information/Leadership/Executive-Leadership-Team/Bill-Gates](http://www.gatesfoundation.org/Who-We-Are/General-Information/Leadership/Executive-Leadership-Team/Bill-Gates).
- 7 See: <https://givingpledge.org/About.aspx>.
- 8 Data are obtained from the Bill & Melinda Gates Foundation's 2015 Form 990-PF.
- 9 Revenue diversification is one of many strategies that US NGOs employ to mitigate resource dependence (Mitchell 2012).
- 10 The classification scheme for the National Taxonomy of Exempt Entities was developed by the US Internal Revenue Service (IRS) and the National Center for Charitable Statistics.
- 11 See: [www.givewell.org/charities/top-charities](http://www.givewell.org/charities/top-charities).
- 12 As of 2018 the Interaction Standards are under revision to include impact, among other changes.
- 13 For more information, see: <https://learn.guidestar.org/platinum>.
- 14 For more information, see: [www.charitynavigator.org/index.cfm?bay=content.view&cpid=5510&from=homepage](http://www.charitynavigator.org/index.cfm?bay=content.view&cpid=5510&from=homepage).
- 15 Lobbying cannot be a 'substantial part' of an NGO's activities as defined by two legal tests: the 'substantial part' test and the 'expenditures' test. According to the latter, smaller organizations can spend a maximum of 20 percent of their tax-exempt expenditures to influence legislation through lobbying, with the allowable percentage decreasing with organizational size. For larger NGOs, lobbying may not exceed a fixed cap of USD \$1 million. Penalties for transgression include excise taxes and loss of tax-exempt status. Organizations electing to undertake lobbying must notify the IRS to declare their activity and demonstrate that it falls within the acceptable legal limits.
- 16 Data are obtained from the National Center for Charitable Statistics Core Public Charity data files for 2006–2010. Statistics are based on five-year averages to control for annual variations. Data are derived from IRS Form 990 records for 'international public charities.' Organizations may be included that are not US TNGOs from an international relations perspective.
- 17 The list is derived from a legal or 'juridical' classification of entities and thus includes some organizations that may appear to be inconsistent with the standard sociological definition of the NGO in

international relations. For a general discussion of sociological and juridical definitions of NGOs, see: Vakil (1997).

- 18 Data are self-reported from 111 of InterAction's 191 members. See: <https://ngoaidmap.org>.
- 19 Data are obtained from the Transnational NGO Interview Study and reflect a sample of international organizations evaluated by Charity Navigator (see: [www.maxwell.syr.edu/Moynihan\\_TNGO.asp](http://www.maxwell.syr.edu/Moynihan_TNGO.asp), [www.charitynavigator.org](http://www.charitynavigator.org)). This population accounts for approximately two-thirds of the US TNGO sector by revenues, but may not accurately reflect the wider population of all 501c3 international public charities recognized by the IRS. For more information, see: Hermann et al. (2010).
- 20 However, the process usefully identified learning opportunities for measurement and evaluation. Interview with Barbara Willett, Director of Monitoring, Evaluation, and Learning at Mercy Corp, August 6, 2014.
- 21 Interview with Jeannie Annan, Director of Research and Evaluation at the International Rescue Committee, October 27, 2014.

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# NGOs in the European Union

*Matthias Freise*

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## Introduction

Since the Treaty of Rome came into force in 1958, non-governmental organizations (NGOs) have played an important role in the process of European integration. In the course of the deepening and widening of the integration process, the number and activities of NGOs in Brussels have grown constantly over the decades. The consensus-oriented decision-making procedure presents them with numerous institutionalized and non-institutionalized channels for agenda setting, interest representation and advocacy, and via the Economic and Social Committee, they are institutionally integrated in the political system of the European Union.

Currently, the European Union is primarily an economic and legal community aiming to realize a common market that includes a single currency and fundamental market freedoms (McCormick 2017: 58). In the beginning, this goal was pursued mainly through so-called negative integration in the sense of the common dismantling of national rules such as domestic customs duties and other trade barriers. Later on, elements of positive integration complemented the activities of the European Union and its predecessor organizations. This means that the European Union is harmonizing the legal frameworks of its member states and is introducing a wide range of uniform standards such as industrial norms, environmental requirements and health and safety regulations at work (Scharpf 1999: 49). This has significant implications for many policy fields, and from treaty to treaty, the responsibilities of the European Union have been extended. In the Lisbon Treaty (the current constitutional basis ratified in 2007), additional policies have been communitized by transferring national sovereignty rights from the governments of the member states to the European level where decisions are made in a complex supranational procedure shaped by extensive negotiations (Pollack 2015: 37).

Although in 2016 the British citizens decided with a narrow majority to leave the European Union and the European currency was troubled during the recent financial and fiscal crises, the EU is still very attractive for most of its members. Founded by six member states in 1958, it has grown with the eastward enlargement to encompass 28 member states.

Today, beyond the common market and trade policy, the European Union has far-reaching competences in agriculture, fisheries, energy policy, environmental policy, consumer protection, research and development, and cohesion policy. In addition, more and more aspects of

justice and home affairs as well as foreign policy are affected by European regulation. This also holds true for many social policies, although they mostly belong to the area of responsibility of the member state governments. Through this enormous increase of responsibilities, the European Union is widely affecting the process of policy-making in its member states and plays an integral role in almost all home affairs decisions (Wallace/Pollack/Young 2015).

This strong influence in domestic affairs has led to public criticism of the democratic legitimacy of the European Union (Wimmel 2009). Indeed, the EU's political system is not reaching the democratic standards of nation states. Although the competences of the European Parliament, the only directly elected institution of the EU, have been upgraded over the years, the EU still lacks substantial elements of democratic participation (Hix/Follesdal 2006). For instance, there is no real electoral contest in relation to the political leadership at the European level, and the citizens cannot decide about the basic direction of the EU policy agenda. Furthermore, the unsatisfactory accountability of the European Commission is criticized, and the process of decision-making is so complex that most European citizens do not understand how the EU works (Fossum/Pollak 2015: 35).

The European Commission has acknowledged this problem and, with its White Paper on European Governance (2001), initiated a consultation regime that bestowed on NGOs a more prominent role in the process of EU policy-making by opening venues of interest representation. In particular, NGOs representing values and social rights have profited from the change in procedures, and at the time of writing more than 3,000 NGOs are registered in the European Transparency Register, most of them engaged in agenda setting, advocacy and interest representation.

The following sections introduce a taxonomy of NGOs in Brussels, explain the importance of NGOs in the political system of the European Union, illustrate the functions of NGOs in the integration process and discuss democratic challenges of the system of interest representation in the European Union.

## NGOs in Brussels

Most academic contributions relating to NGOs in the European Union focus on these organizations as a part of the ramified system of interest representation (e.g. Greenwood 2011; Wolff 2013; van Schendelen 2013). In this context, NGOs are attributed to the organized civil society, which influences the process of decision-making by lobbying particularly the European Commission and the European Parliament. However, even now, there is no generally accepted definition of NGOs in European integration research. A reason for this might be the very broad understanding of civil society that is used in the documents of the European Union (Pitz 2015: 60). Therein, essentially all organized non-state entities are categorized as part of civil society. Traditionally, these are the social partners (trade unions and employer's associations); however, business-oriented organizations such as chambers of commerce, business federations and even in-house lobbyists of companies are also considered as NGOs in various EU documents (Freise 2008).

In a communication on the role of NGOs in international development policies, the Commission has specified four basic criteria organizations have to fulfil to be classified as NGOs: (1) They have to be established voluntarily by citizens seeking to promote their concerns, values or identities; (2) they are organized around the promotion of an issue or the interests of a particular segment of society; (3) they are autonomous from the state; and finally, (4) they do not aim to maximize profits (Tanasescu 2009: 67).

This definition is very similar to the concept used by the United Nations Economic and Social Council and has been further refined for the purpose of the European Transparency Register, introduced in 2011. The voluntary lobbyist registry is operated jointly by the European Parliament and the European Commission<sup>1</sup> and covers six different kinds of interest groups: (1) Professional consultancies, (2) trade/business/professional associations, (3) NGOs, (4) think tanks and academic institutions, (5) organizations representing churches and religious communities and (6) organizations representing local, regional and municipal entities. The registry provides information on staff numbers of the registered organizations, the legislative proposals they have attempted to influence and the amount of EU funding they have received. By registering, the lobbyists gain easier access to the European Parliament and can benefit from a number of information services of the European Commission.

However, there is no legal obligation to register for lobbyists active in the EU. Hence, it is very likely that many more actors are engaged in the area of interest representation in Brussels, particularly business interests. Furthermore, a study published by Transparency International in 2015 has shown that up to 50 per cent of the entries include incorrect data (Ariès 2015). Nevertheless, the register is currently the most comprehensive data source available on NGOs in the EU.

In October 2017, approximately 11,500 organizations were listed in the register. Some 3,000 of them are categorized as NGOs, of which some 900 run an office with at least one employee in Belgium – a strong indicator for direct activities in Brussels. In addition, some 30 churches and religious-oriented NGOs and roughly 120 academic think tanks are registered. In contrast, more than 2,600 business-oriented interest groups with a Belgian office, together employing 6,000 people, are listed in the register. In terms of staffing and financial resources, industrial interest groups are considerably better equipped than their counterparts from the NGO sector (Frantz/Martens 2006: 105).

A closer look at NGOs in Brussels reveals many different kinds operating in the system of European interest representation. The largest groups by far are so-called *umbrella umbrellas*. These are NGOs founded as federations for national (and sometimes subnational) umbrella associations, on whose behalf they represent interests in the institutions of the European Union.

By way of some examples:<sup>2</sup> The European Cancer Patient Coalition represents 40 national cancer self-help federations from all 28 EU member states and many other European and non-European countries. The European Anti-Poverty Network is a platform of 31 national networks of voluntary organizations and grassroots groups within the member states of the EU and of 13 European organizations whose main activities are related to poverty and social exclusion. The European Cyclists' Federation serves as the European umbrella of 62 national cyclists associations. It is active, inter alia, in the fields of cycling tourism, the economy, health and environment, urban mobility and road safety. Today, hundreds of such umbrella umbrellas are present in Brussels and concentrate particularly on the highly communitized policy areas that are within the regulatory competence of the European Commission, which is the central target of their lobbying activities.

The same holds true for *national umbrella organizations* that have their own offices in Brussels. They form a second, much smaller group of NGOs in Brussels. Since the membership in umbrella umbrella associations demands a high level of readiness to compromise, a number of large and financially strong national umbrella organizations have developed a twin-track strategy of interest representation. On the one hand, they open their own representative offices in Brussels. On the other hand, they become members of the European federation that corresponds to their interests. A typical example is the German Caritas, one of the largest German welfare associations. While it runs its own office in Brussels, it is also a member of Caritas Europe, which opens other channels of access to the European institutions, for instance the Social Platform, a coalition of the largest

European rights- and value-based NGOs working in the social sector. Most of the national umbrella organizations with their own representation offices are from the most populous member states of the European Union (Germany, France, Italy, Spain and the UK).

A third category of NGOs in Brussels are the *EU units and liaison offices of international non-governmental organizations (INGOs)*. Greenpeace, Save the Children International, Oxfam, World Vision, Amnesty International, Transparency International, Robin Wood and many more INGOs are represented in Brussels. Particularly in the environmental, agricultural, fisheries and consumer protection policy areas, they are important sources of expertise for the European Commission, which consults them extensively. Furthermore, they serve as influential agenda setters.

Finally, *church and church-related organizations and think tanks* are other specific types of NGOs in the political system of the European Union. While the former, such as the European Jewish Association, the Hindu Forum of Europe and the Consilium Conferentiarum Episcoporum Europae (Council of European Bishops), fulfil predominantly the function of interest representation, think tanks conduct research and try to influence the political agenda in Brussels. Typical examples of such think tanks are the Centre for European Policy Studies and the German political foundations, among them the Friedrich Ebert Foundation and the Konrad Adenauer Foundation.

Most of the NGOs represented in Brussels are established as voluntary associations under Belgian law. However, this is not mandatory and other legal forms such as the foundation are used by NGOs, too. In regards to the fields of activity, most NGOs in Brussels indicate that they focus on the communitized policy areas that fall under the jurisdiction of the community method. Figure 30.1 illustrates the number of NGOs with offices in Brussels for the most relevant policy fields of the European Union and compares it with business-oriented interest groups listed in the Transparency Register (multiple self-attributions possible).

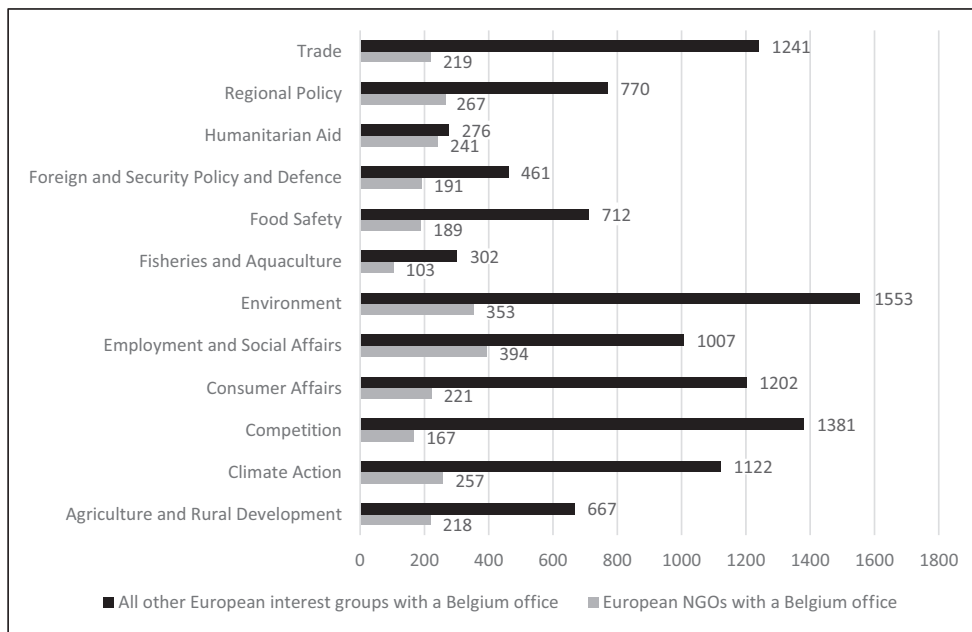


Figure 30.1 NGOs and business-oriented lobbyists and their fields of activity

Source: European Transparency Register (09/25/2017)

## NGOs in the political system of the European Union

To understand how NGOs are integrated in the political system of the European Union, basic knowledge of the specific construction of the EU's polity is essential. The European Union has been described as “the most complex democratic system in the world” (Schmitter 2000: 13), and indeed, the EU's governance architecture is shaped by a number of unique features which cannot be found in political systems of nation states.

First of all, the European Union lacks a distinct centre of power usually found in the president's or prime minister's office in presidential and parliamentary systems. Instead, the treaties of the European Union have installed a system of strong institutional interdependence in the processes of legislation and policy implementation (Peterson/Shackelton 2012: 8). In the communitized policy fields, the European Commission has the exclusive right to initiate legislation (directives and regulations). Furthermore, it ensures compliance with EU law in the member states and can launch infringement procedures against the member states, which are decided by the European Court of Justice (Hix/Høyland 2011). In addition, the Commission manages the EU's relatively small budget and allocates funding (e.g. agricultural and cohesion funds).

However, compared to national governments, the Commission lacks the typical instruments of executive power for policy implementation: It has neither police nor military forces, and the administrative body of the European Commission is very small. In 2017, the Commission employs about 32,000 staff to administer policies affecting half a billion people.<sup>3</sup> Hence, the European Commission has more of a coordinating function in the implementation of European legislation (Peterson 2012). The bulk of policy implementation is carried out by the administrations of the member states, which are represented by their governments in the European Council and the Council of Ministers.

The European Council is the committee of Heads of State and Governments of the member states. Officially, it is not embedded in the legislative process but serves as an overarching institution that seeks compromises and gives impetus for the further development of the European integration process. By contrast, the Council of Ministers in its 10 different topical configurations plays a central role in the legislative process: It is the first chamber in the bicameral legislative process and makes decisions about Commission-proposed initiatives in a co-decision procedure with the European Parliament (the second chamber). The Council of Ministers is the more powerful of the two chambers, since it decides in the last instance on the revenue side of the budget and since, ultimately, the members of the Council are the ones executing European law in their countries.

The European Parliament is the only institution in the political system whose members are directly elected by the citizenry (Shackelton 2012). In relation to communitized policies, it is as powerful as the Council of Ministers and can block legislation. Furthermore, it elects the members of the European Commission and is able to initiate a vote of no confidence against them. However, it cannot nominate the members of the Commission, that being the role of the Council of Ministers. In contrast to the political systems of democratic nation states, neither the Council of Ministers nor the European Parliament can initiate legislation. As noted previously, this competence is reserved for the European Commission exclusively. Figure 30.2 gives an overview of the functioning of the political system of the EU.

In this complex polity, the European Commission, European Parliament and Council of Ministers form a kind of “magic triangle of legislation” (Wessels 2013) which is shaped by a maximum degree of mutual dependencies and which requires permanent cooperation among the institutions. This effect is intensified by the spirit of the Luxembourg Compromise, which was reached in 1966 in the European Economic Community (an EU predecessor). The core

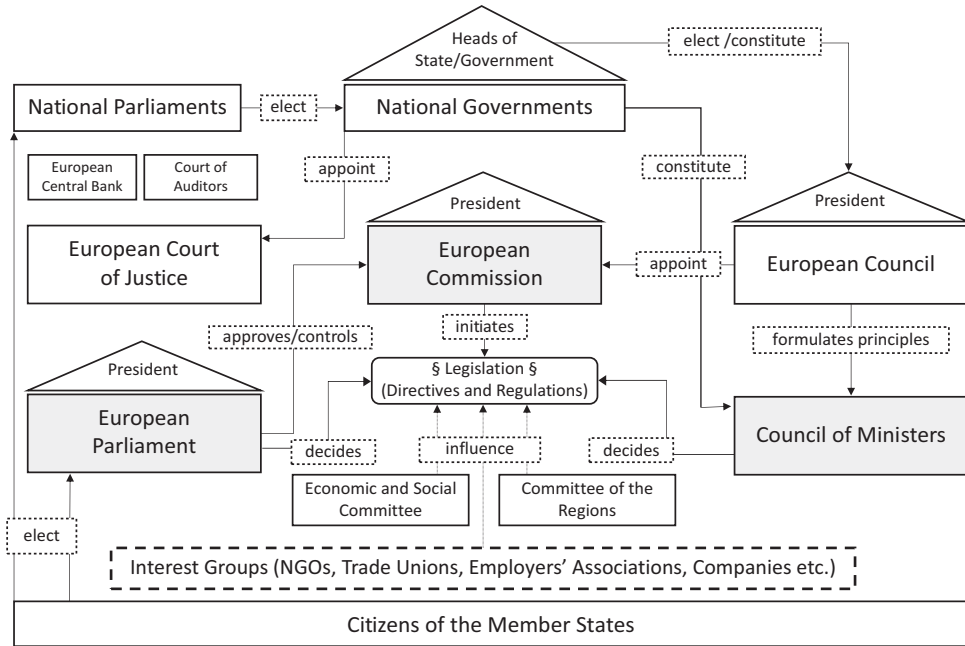


Figure 30.2 The political system of the European Union

Source: Author's illustration.

statement of this agreement was that the European Union considers so-called “vital interests” of the member states and avoids majority decisions whenever possible (Nedergaard 2007: 168). Although each of the subsequent treaties extended the possibility of qualified-majority decisions, such decisions have been taken very rarely. Instead, the political system of the EU can be described as a “veritable consensus generating machine” (Bickerton 2012: 31) which takes into account as many perspectives as possible and which has developed a number of specific procedures, such as package solutions and compensation payments to satisfy all stakeholders affected by its political decisions. For this reason, the political system of the EU is dependent on the input of interest representation of all kinds, and it has created a number of institutionalized and non-institutionalized channels of influence for NGOs and other lobbyists (Michalowitz 2007).

### The European Economic and Social Committee

The European Economic and Social Committee (EESC) is a formal body that represents social-economic interests within the political system of the European Union. It was introduced in the Treaty of Rome in 1957. In 1993, the Council of the Regions (CoR) was established as a second consultative body for representing the regional authorities and municipalities. Today, both the EESC and the CoR share more or less the same rights to be heard and adopt opinions on European legislation. However, they have no decision-making powers.

The EESC is the heritage of the corporatist tradition of the six founding members of the European Economic Community (Jeffrey/Rowe 2012: 361). Corporatist systems are shaped by the institutionalized involvement of relevant societal and economic groups in the process of policy-making and are a typical feature of the so-called Rhine capitalism. The key concern of

this economic order is increasing the legitimacy and efficiency of governing through the inclusion of central societal actors (Schmitter 1985). Following this logic, the Lisbon Treaty assigns the EESC advisory functions for the Parliament, the Commission, the European Council and the Council of the European Union (Council of Ministers). Its members consist of three different groups: (1) representatives of employers' associations, (2) representatives of trade unions and other organizations of the employed and (3) representatives of civil society organizations, notably in socio-economic, civic, professional and cultural areas.

The EESC and CoR each has 350 members, with membership distributed according to the size of the member states. France, Germany, Italy and the United Kingdom delegate 24 members each while Malta, Cyprus and Luxembourg as the smallest countries have five seats each (see Figure 30.3). The members of the EESC are nominated by the national governments for a term of five years. Because of its tradition as a social-economic advisory body, representatives of trade unions and employers' associations as well as of producers, farmers, carriers and craftsmen dominate the committee. However, since the beginning of the 2000s, national governments have increasingly nominated representatives of various social NGOs, particularly from the social economy and from advocacy organizations for vulnerable groups. For instance, the Disabled Peoples' Organizations of Denmark, the Italian Association of Social Cooperatives, the French National National Union of Family Associations and the Czech Caritas are currently represented in the EESC. Furthermore, representatives of consumers associations have a large share of the 111 EESC members assigned to group 3.<sup>4</sup>

According to the Lisbon Treaty (Art. 304), the EESC must be consulted by both the Council of Ministers and the Commission in 18 specified policy fields, among them free movement of

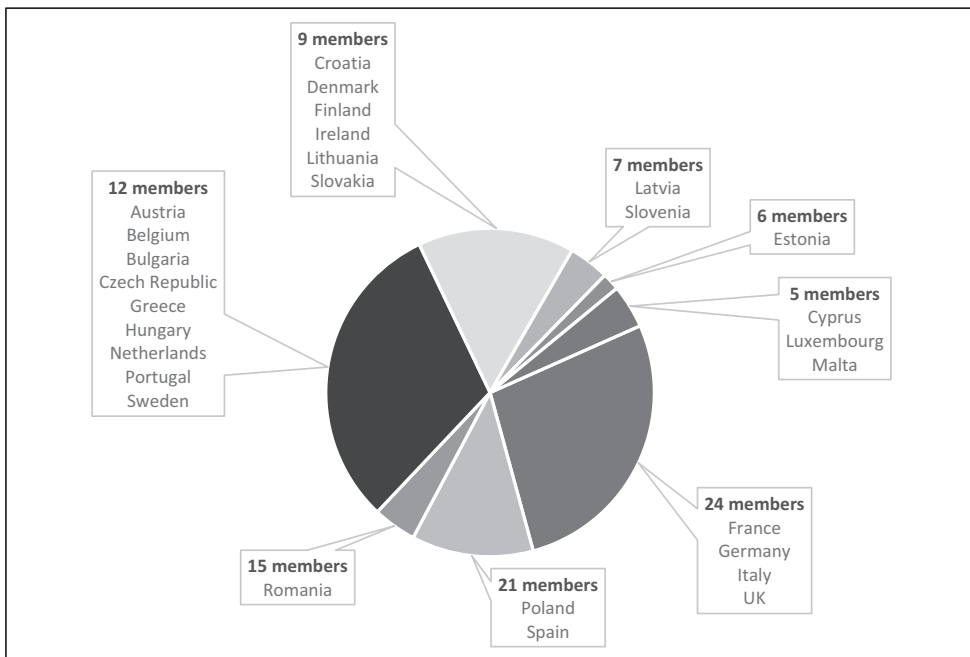


Figure 30.3 The 350 members of the European Economic and Social Committee by EU member states

Source: Author's compilation.



labour, internal market, economic and social cohesion, social policies, environment, employment, equal opportunities, and public health. Furthermore, optional consultation by the Commission, the Council or the Parliament in other areas is possible. In practice, the European Commission submits its draft legislation to the EESC, which forwards them to one of its seven thematically specialized sections. The members of these sections try to agree on a joint opinion, which is then submitted for approval by the plenum. The opinions that are ultimately adopted are passed on to the Commission, the Council of Ministers and the European Parliament.

However, the right to submit opinions does not necessarily mean that those opinions are taken into consideration or even read by the European institutions (Jeffrey/Rowe 2012: 365). Consequently, the influence of the EESC on policy-making in the European Union is deemed in scholarly literature to be peripheral, and over the years, there have been a number of initiatives proposing its abolition (Eisele 2008). In particular the legitimacy of the appointment procedure of the members by the national governments is disputed (Jeffrey/Rowe 2012: 366).

On the other hand, some authors argue that the EESC has strengthened the deliberative quality of decision-making in Europe. Indeed, particularly in policy areas related to labour market issues and social economy, the institutions have occasionally acted on suggestions submitted by the committee (Pitz 2015; Smismans 2000). In 2004, the EESC set up a Liaison Group with “representatives of the main sectors of European organized civil society”. Composed of both representatives of the EESC and 21 members of civil society umbrella organizations such as the European Youth Forum, the Platform of European Social NGOs and the European Volunteer Center, the Liaison Group acts primarily as an exchange body, facilitating dialogue between the EESC and selected civil society organizations. It also organizes hearings and seminars in cooperation with the European Commission with the objective of promoting greater influence of NGO interests in the policy-making process.

Nevertheless, the development of alternative channels of influence for interest representation, such as the social and civil dialogues (discussed below) and the establishment of an extensive lobbying scene in Brussels, has definitely curtailed the EESC’s influence. Furthermore, the expansion of the Parliament’s rights has reduced the committee’s function as a representative body (Jeffrey/Rowe 2012: 380).

### ***Social and civil dialogue and the European consultancy regime***

The social dialogue and the civil dialogue are institutionalized procedures of including NGOs and other voluntary organizations in the negotiation process in various European policy areas. The social dialogue is the elder concept, and in the working routines of the European Commission, it plays a much more important role (Obradovic 2005). It is regulated in Articles 151 to 156 of the Treaty on the Functioning of the European Union. Therein, the EU and the member states agree on the social dialogue as a component of the European social model that gives the social partners (representatives of management and of labour) the opportunity to contribute actively in the design of European social policy. The dialogue takes two main forms: a tripartite dialogue involving governmental authorities and a bipartite dialogue between the European employers’ and trade union organizations. Such dialogues take place at cross-industry level and within sectoral social dialogue committees. Particularly regarding questions concerning the social rights of workers, working conditions, industrial safety, employment policy and social inclusion, the social partners have far-reaching participation rights.

A cross-industry social dialogue committee (SDC) of currently 66 European trade unions and sectoral organizations representing employers’ associations meets three or four times a year. In practice, the social dialogue is organized as a consultation process. In a first step, the commission

submits its draft legislation from the field of social and employment policy to the SDC. In the event that the committee announces its intention to open negotiations, the Commission suspends the legislative process and waits to determine whether the social partners are able to agree on a joint statement. If the social partners negotiate a joint position, the Commission can and usually does adopt it for further legislative action (Pitz 2015: 61). This procedure has given strong influence to the social partners, and in the past, a number of European directives and regulations, for instance, on occupational health and safety of hairdressers (2016) and on inclusive labour markets (2010), have been significantly influenced by the SDC.

The social dialogue is a typical example of European governance that involves many negotiation partners. The European Commission outsources the legal phrasing to the affected stakeholders who are interested in a compromise solution and announces that it will introduce its own draft legislation in case the social partners cannot agree on a joint position. Thereby, it exerts pressure for the parties to come to agreement. As a result, the social dialogue is very effective and can achieve a high degree of legitimacy among the stakeholders (Scott/Trubek 2002: 4). However, since the economic crisis that began in 2008, this social dialogue has lost bargaining power and been sidelined, as member states increasingly made decisions on crisis measures and intervened in wage policy without consulting the social partners. Against this background, the Commission undertook several attempts to re-launch and strengthen the social dialogue, especially in the new, post-crisis economic governance.

In the Treaty of Lisbon, the member states obliged the European Union for the first time to “maintain an open, transparent and regular dialogue with representative associations and civil society” (Treaty on European Union, Art. 11). This so-called civil dialogue was already being used by the Commission before the Lisbon Treaty came into force. However, Article 11 was an innovative feature of the treaty text and enshrined the principle of participatory democracy as a supplement to the primacy of representative democracy (Pitz 2015: 86). Consequently, the European Commission has broadened its consultation activities in recent years and has made them more transparent. Today, the civil dialogue includes a variety of procedures such as public hearings of interest representatives of affected parties and committed civil society organizations, targeted consultations with registered interest groups, the consideration of written statements of interest groups on European policy-making and publicly accessible internet portals. The concrete arrangement of the civil dialogue is different in each directorate-general (the policy-specific subdivisions of the Commission) (Quitkat/Kohler-Koch 2013).

However, every directorate-general has set up regular meetings with key interest groups, among them NGOs, that represent the largest possible number of members in as many member states as possible. In this context, alliances of NGOs play an important role. For instance, the Green Ten is a platform of the largest environmental NGOs in Europa. The Social Platform serves as an umbrella of large social NGOs based in Brussels. And the Civil Society Contact Group brings together eight large rights- and values-based NGO sectors (culture, environment, education, development, human rights, public health, social and women) and coordinates exchange with the European institutions that favour these NGOs in their consultation procedures.

A very common instrument the Commission uses to initiate a consultation process is green and white papers. Green papers are discussion documents announcing the Commission’s intention to start a legislative initiative. They invite all stakeholders to submit recommendations – an option that is extensively used by interest groups. White papers are the next iteration following green papers and include the Commission’s concrete suggestions for legal language. Again, interest groups have the possibility to submit position statements and proposals for modification (Quitkat 2013: 65). Recent examples of this kind of consultation regime are the green

paper on “Building a capital markets union” (European Commission 2015) and the white paper “Towards more effective EU merger control” (European Commission 2014).

In summary, both social and civil dialogue are parts of the European consultation system, which has expanded over recent years. The social dialogue is more narrowly and clearly defined and guarantees specific rights to the social partners. The civil dialogue addresses civil society more broadly and is used in most communitized policy areas, although with different intensity. This has led to a very specific mode of operation characteristic of most NGOs in Brussels.

## NGO activities in Brussels

Hartmut Kaelble (2007: 217) has described the NGO sector in Brussels as a “silent civil society”. With this term, he is referring to the fact that NGOs in Brussels relatively seldom use instruments of public protest or resistance. Instead, most European NGOs concentrate on their role within the European consultation system. Protest actions such as the campaigns against the Transatlantic Trade and Investment Partnership (TTIP) and the Comprehensive Economic and Trade Agreement (CETA) that the European Commission negotiated with the United States and Canada are major exceptions. The day-to-day work of most NGOs in Brussels is characterized by other activities.

In particular, umbrella NGOs fulfil *monitoring functions* on behalf of their members. Since the European legislative process is extremely drawn out and the European institutions usually act outside the national perception, these NGOs keep track of the policy process in Brussels and report possible impacts of European legislation on the national legal frameworks to their members. These early warnings are often the basis for cross-level lobbying: While the NGOs in Brussels concentrate their activities on the European Commission and increasingly on the European Parliament, the members in the states contact the national governments, which are represented in the Council of Ministers (Charrad 2009). For instance, the European Region of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) monitors all legislative initiatives of the European Union that might affect the concerns of their members in 49 countries.

Furthermore, NGOs *provide expertise* for the European institutions, serve as *advocacy organizations* and conduct *agenda setting*. Since the staff of the directorates-general is very small and the European Commission has a smaller research service than most national governments do, the Commission’s civil servants are dependent on external support. As business representatives lobby it continuously and have considerable financial means, the Commission tries to take into account civil society interests by consulting NGOs that are recognized as experts and derive a high degree of legitimacy from their broad membership. Hence, NGOs in Brussels invest significantly in establishing and cultivating their reputation and legitimacy. For instance, every month the European unit of Greenpeace submits dozens of opinions and statements, mostly based on their own comprehensive research, relating to legislation in the areas of agriculture, climate and energy, fisheries and oceans, forests and toxic pollution. Similar activities are carried out by many NGOs in Brussels, and the European Commission even provides financial support to certain NGOs so that they can maintain European offices when no other civil society actors are available to provide expertise and advice. For instance, ILGA has received EU grants over several years to establish and operate its office.

Such support is hardly altruistic. Not only do NGOs provide the European Commission their expertise, they also are involved in *supervising* the implementation of Commission policies in the member states. Most European legal acts are directives that oblige member states to achieve a particular result without dictating the means to achieve it. The implementation of directives

is carried out by the national governments in a process that can take several years (Falkner et al. 2005). Hence, supervising this process is very difficult for the European Commission which is dependent on feedback from the member states regarding compliance with European law. In this context, many NGOs in Brussels serve as *watchdogs* on the Commission's behalf and report infringements that the European Commission's own supervisors might never have unearthed alone. Based on the information provided by the NGOs, the Commission can initiate a range of sanctions against the member states, including the infringement procedure at the European Court of Justice, which can impose fines against the member states. A good example of the workings of this watchdog function is the directive against human trafficking, which was adopted in 2011 by the European Union but was implemented only reluctantly by many member states. After a number of reports submitted by human rights NGOs active in this field, the Commission started several sanction procedures and was able to accelerate implementation in most member states.

From the perspective of communication science, NGOs also fulfil the function of *policy mediation* on behalf of the European Union. The EU's political system is so complex that national-level media hardly cover European politics. Indeed, a number of studies have shown that the European Union plays at best a secondary role for national journalists who are oriented towards specific news factors like closeness, personalization and immediacy (for an overview see Statham 2010). Hence, a number of NGOs have become important mediators. Because the European Parliament has no clear opposition or government factions, reporting from the plenary hall is often unattractive. Instead, journalists prefer interview partners from NGOs for illustrating European politics (Frantz 2014). In this way, NGOs are contributing to the public visibility of the European Union.

Separate from the Brussels system of interest representation NGOs are playing an increasingly important role in the *implementation* of European policies. This began in the 1990s when the European Commission engaged NGOs in the course of the PHARE Democracy programme, which was designed to build up civil society structures in the post-communist countries in Central and Eastern Europe with the aim of strengthening democracy. Many NGOs, particularly human rights NGOs, women's associations, environmental groups and other advocacy groups, were funded from this programme (Pridham 2005). Since the eastward enlargement, the Commission has been supporting many other NGO activities, particularly through development cooperation. Furthermore, the Commission has entrusted European humanitarian aid NGOs to provide services such as the operation of refugee camps in Greece and Italy. In its 2015 budget, the Commission reported some 1,600 contracts with some 900 NGOs and an overall volume of 1.24 billion Euro.<sup>5</sup>

This amount is probably much larger since NGOs also profit from the European cohesion policy and the structural funds that the European Union is administering together with the member states. The aim of these programs is to reduce regional disparities in income, wealth and opportunities. Typically, the structural funds comprise more than 40 per cent of the EU budget. In many countries, NGOs are involved in the implementation of measures financed by European resources. For instance, the European Social Fund is widely used for active labour market policies for disadvantaged groups in the member countries that are cooperating with social NGOs (Bachtler/Mendez 2013).

## Outlook and critique

NGOs in the European Union fulfil important functions. In particular, they are discussed as possible sources of the legitimacy that the European Union is notoriously lacking since they

open channels of participation and deliberation. Hence, to follow up on the recommendations of the White Paper on European Governance (2001), the EU designed and implemented a new consultation regime that has lowered the threshold for NGO access and has ascribed NGOs a more prominent role in EU policy-making. Especially, NGOs representing the values and rights-based sector have benefited from the change in procedures and the European Commission's financial support (Quittkat/Kohler-Koch 2013).

Case studies of various EU legislation procedures have shown that NGOs in Brussels can indeed affect policy outcomes and thus serve as credible ambassadors for European Union citizenship (Warleigh 2011). However, the European Union is still characterized by a system of biased representation: Business-oriented lobbyists are much more active than public benefit-oriented NGOs and have significantly more resources at their disposal. In addition, interest groups from the old and populous member states in North and Western Europe are overrepresented, while NGOs from small and/or Central and Eastern European countries continue to be more observers of than participants in European governance (Charrad 2009).

From the perspective of democratic theory, the non-transparent procedure for selecting members of the Economic and Social Committee by the member state governments is problematic. A closer look at the composition of the EESC as of 2017 shows that many member states have selected rather tame representatives of the national civil society sector. This particularly holds true for many Central and Eastern European countries, whose governments currently lean towards populism and authoritarianism (Schenkkan 2017). In these cases, NGOs serve as extended arms of the governments more than as independent monitors and representatives of a pluralist civil society.

A similar lack of transparency holds for the criteria the European Commission applies for involving NGOs in its consultation procedures. The success of interest representation by NGOs is highly dependent on their access to fast-changing and issue-specific policy coalitions, which are controlled by few actors (Warleigh 2011).

Finally, particularly umbrella NGOs are often challenged to agree on a single joint position for all of their members. Only when they manage this are they able to become involved in the process of negotiating policy. Organizations such as Lobby Facts<sup>6</sup> report that business lobbyists dominate the system of interest representation. For sure, NGOs can counterbalance this disparity somewhat. However, in the end they are often a democratic fig leaf for the rather opaque political system of the European Union.

## Notes

- 1 The register is available online at <http://ec.europa.eu/transparencyregister>.
- 2 For all examples of NGO activities in this chapter, the websites of their Brussels offices have been consulted.
- 3 For comparison: The city government of Hamburg, Germany with its 1.8 million inhabitants employed a staff of 60,800 people in 2017.
- 4 Data taken from the EESC's website at [www.eesc.europa.eu](http://www.eesc.europa.eu).
- 5 The EU's budget is documented at [http://ec.europa.eu/budget/index\\_en.cfm](http://ec.europa.eu/budget/index_en.cfm).
- 6 See <https://lobbyfacts.eu> for documentation of recent lobby activities in Brussels.

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# The non-profit sector in Eastern Europe, Russia, and Central Asia<sup>1</sup>

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After the dissolution of the Soviet Union in 1991, the fifteen newly independent states have followed a range of sociopolitical trajectories – landing a smaller minority on the path toward democracy in the European Union (EU), while leaving the majority in a variation of hybrid regimes. Understandably, civil society/non-profit sector (NPS) developments in these independent countries have likewise taken different turns along those trajectories, showcasing varied levels and kinds of non-profit institutionalization, civic engagement, and citizens' collective influence on their states. Importantly, however, while hundreds of thousands of voluntary organizations of different kinds have emerged in the post-Soviet region since 1991, contrary to popular expectations and despite significant Western aid efforts, this development has not resulted in the achievement of healthy and robust civil society/NPS, nor any sweeping democratization in the region.

What do we know about civil society and non-profit organizations (NPOs) in the region thus far? And what impact did the last quarter-century have on civil society in these diverse countries with their common totalitarian past? And why did the seeming growth in the quantity of formal NPOs not bring about the much-anticipated qualitative democratic and civil society/NPS outcomes? In this chapter, we endeavor to answer these questions by reviewing previous scholarship about the region produced by Western scholars, followed by a summary of our recent survey volume of papers on the topic by scholars from the region itself (Smith, Moldavanova, & Krasynska, 2018). We term the region as Eastern Europe, Russia, and Central Asia (EERCA) to emphasize our contemporary focus and the great contextual diversity present in this region.

## **Approaches and terminology**

The research, methodology, and publishing approaches and standards in the EERCA region often differ from those in the West. We also note divergences in theoretical approaches employed by EERCA scholars. For instance, local scholars often provide lengthy analyses of laws and regulations governing voluntary organizations in EERCA as being crucial factors in the development of the NPS, something that is rarely emphasized in the USA, with the exception of tax-exemption laws and their effect on donor behavior. Conversely, in the EERCA region,

where bureaucracy and corruption are associated with relatively high tax-noncompliance in society (Picur & Riahi-Belkaoui, 2006), the tax-exemption laws are far less relevant. The creation and imposition of restrictive and burdensome regulations on NPOs along with their selective application in the courts of law in the EERCA region have been linked with government's attempts to suppress non-profit activity and free association.

The terminology used to describe the NPS/civil society and its institutions/organizations in EERCA also often differs from terms used in the West. For example, the distinctions among NPOs, non-profit agencies, voluntary (membership) associations, and other common forms of voluntary activity (Bowen et al., 1994; O'Neill, 2002; Salamon et al., 1999; Salamon et al., 2004; Smith, 2000, 2015b, 2015c; Smith, Stebbins, & Dover, 2006; Smith, Stebbins, & Grotz, 2016) are not as pronounced in the region. Regional scholars often use such terms as NPO, NGO (non-governmental organization), and CSO (civil society organization) as nearly synonymous terms. However, the dictionary of non-profit terms by Smith, Stebbins, and Dover (2006) describes significant distinctions among them and also among many related terms.

Smith (2015a, 2015b, 2017a, 2017b) has recently emphasized clear definitional distinctions between *voluntary associations*, which are, in the West, controlled from the bottom up by their members, and *non-profit agencies*, which are structured like corporations or government agencies in terms of power, from the top down, with the board of directors and/or top executives holding almost total power over paid employees and any volunteers in a volunteer service program (VSP) (as a special volunteer department). By definition (Smith, Stebbins, & Dover, 2006), non-profit agencies (with paid staff, and often with no VSP) and voluntary associations are both NPOs. However, scholars from the EERCA region often use the terms *NPO* or *NGO* mainly to refer to non-profit *agencies*, not making the more nuanced distinction advocated by Smith and many others (Smith, 2017a, 2017b; Smith, Stebbins, & Dover, 2006).

## The geographic scope and its significance

The geographic region covered in this chapter comprises fifteen countries that share geographic borders, historic communist legacies, certain cultural norms, and at least some experience with democratization processes that led to the establishment of NPOs in the region, popularly, albeit often erroneously, labeled as *NGOs*. The error lies in the fact that many NPOs in the region, especially in more authoritarian contexts, are not genuinely *non-governmental*, although the term *NGOs* is frequently used, nonetheless. We generally prefer the term *non-profit organizations/NPOs* over *non-governmental organizations/NGOs* in our chapter, because NPO status is easier to verify than genuine NGO status. There are often still links of NPOs to the national government that make genuine NGO status rarer in the EERCA region than in the West, and in some cases nonexistent.

One of the most significant challenges is the blurred boundaries between the non-profit and other sectors in society, especially in regard to NPOs being *non-governmental* in any genuine sense in certain authoritarian contexts. In totalitarian regimes (strong dictatorships), there are essentially no *non-governmental* organizations. In authoritarian regimes (weaker dictatorships), there are usually some genuinely *NGOs*, but mainly or solely at local and sometimes provincial levels, with national associations being mainly monitored and controlled by the national government (e.g., Smith with Zhao, 2016). In significantly but partially democratic regimes and in strong democracies (Barber, 1984), genuine *NGOs* can and do exist, but are more clearly independent of the government in strong democracies.

That being said, the countries in the region also demonstrate notable differences in the extent of democratic developments and geopolitical involvements, as well as NPS dynamics, offering a good case for comparisons (Ekiert & Kubik, 2014). To illustrate, the three Baltic countries – Estonia, Latvia, and Lithuania – having joined the EU, have made greater advances in democratic transition than most of the other countries included in the region (Kamerāde, Crotty, & Ljubownikow, 2016). Overall, these three countries also provide a more favorable legal and social environment for NPOs and other forms of associational and voluntary activity (Auers, 2015).

Russia, on the other hand, has made fewer advances in supporting the development of its civil society/NPS. For instance, a recently adopted *foreign agents* law imposes restrictive regulations on foreign-funded organizations, targeting human rights groups especially (Christensen & Weinstein, 2013). The law requires NPOs receiving funding from abroad to register as *foreign agents*, prompting a wave of governmental inspections and the initiation of administrative cases against them (Human Rights Watch, 2014). Additionally, assembly rights have been increasingly restricted, with greatly heightened penalties for unsanctioned public protests.

Belarus, popularly called *Europe's last dictatorship* (Bennett, 2012), has likewise experienced meager democratic advances since the dissolution of the Soviet Union. Thus, the country substantially restricts the activities of its NPOs. Furthermore, Belarus, as well as Russia, has made the list of “The Twenty-Five Worst Sham Constitutions” for lagging in upholding constitutional rights of their citizens (Law & Versteeg, 2013), including rights pertaining to public free association, voluntary associations, and free assembly.

While Ukraine, Georgia, and Kyrgyzstan have experienced waves of popular pro-democracy protests in the past decade and a half, these countries have had pointedly varied outcomes. Ukraine has seen two massive protest movements – the Orange Revolution in 2004 and, most recently, Euromaidan of 2013–2014. The country is currently undergoing significant geopolitical transformation processes. Furthermore, Ukraine has demonstrated both advances and regressions in the political and legislative environment for the NPS in the same time period. Georgia, after the 2003 events, known as the Rose Revolution, has undergone substantial changes, creating closer alliances with the EU. However, there also have been regressions toward authoritarianism in those developments, affecting the country's NPS. Finally, Kyrgyzstan, which witnessed the Tulip Revolution, has proved to be the least successful of the three in terms of democratic and NPS development. While cooperation between the country's government and NPS has generally increased with the establishment of public watch councils in 2011 (Djanaeva, 2013), a recently proposed (albeit not accepted by parliament) law targeting foreign-funded NGOs has raised concern for the country's NPS actors (International Center for Not-for-Profit Law, 2014).

## The state of knowledge about the NPS in the EERCA region

Over seven decades of the Soviet regime have had a lasting effect on the emerging NPS and civil society institutions in the EERCA region. During the Soviet era, the political and legal environment greatly hindered non-profit and civic activity, especially that which diverged from Soviet ideology (Swanson, 1974; Williams, 1975). Associational activity was closely monitored by the government, which severely restricted, eliminated, or even outlawed certain types of activity, especially political advocacy now undertaken by a multitude of NPOs and associations (Swanson, 1974). During the late 1980s, however, “a myriad of informal groups and associations” emerged in the region (Brovkin, 1990: 233; White, 1999). Subsequently, after the dissolution of the Soviet Union in late 1991, even more

growth of non-profit agencies and associations has taken place, especially up until 1999 (see Ambrosio, 2013; Gill, 2015).

Since the dissolution of the Soviet Union, the number and variety of NPOs in the EERCA region have risen significantly. Such developments paralleled the expansion of the necessary legislation and taxation codes that allowed the creation of a framework for non-profit fundraising activity and other crucial operations. During the early stages of its *renaissance*, the NPS in the region has lacked capacity and professionalism, given its prior seven decades of being constricted under the USSR. However, because of the influx of foreign funding and numerous technical assistance programs, non-profit agencies, volunteer associations, and non-profit foundations in the region have developed greater organizational and managerial capacity, as well as greater skills in securing foreign and domestic funding for their programs. As a result, the NPS has become an important economic and social actor, capable of producing some social change. At the same time, numerous structural, legislative, and institutional obstacles in different countries of the region have been preventing further professionalization and improvement of the overall efficacy of the NPS. Some of these concerns include the sector's financial viability, accountability, community engagement, and independence from foreign funding and national governments. In addition, there has been increasing resistance to the NPS and democratization in Russia, Belarus, and several Central Asian countries since 1999 (Ambrosio, 2013; Freire & Kanet, 2012; Gill, 2015; Ljubownikow, Crotty, & Rodgers, 2013; Vanderhill & Aleprete, 2013).

Along with typical pressures for any NPS, the region's NPOs face unique challenges that are not as salient in the Western context. Such challenges include an inherent lack of resources and skills needed to organize and obtain funding, paucity of private funding, challenges with government-non-profit cooperation, substantial dependency on foreign funding (Sundstrom, 2006), an often-restrictive legislative framework, and the general lack of leadership skills necessary to collaborate with other social actors (Anheier & Salamon, 1999; Regulska, 1999). Hence, although the NPS has expanded significantly since the mid-1990s in the EERCA region, and the expertise of non-profit agencies and voluntary associations continues to grow (Bridge 2004; Toepler & Salamon, 2003; Wallace, Pichler, & Haerpfer, 2012), the aforementioned challenges in the institutional environment are major inhibitors of non-profit activity in this part of the world. Moreover, despite their growing numbers, non-profit agencies and voluntary associations in Central and Eastern Europe have lower rates of institutional survival compared to their Western counterparts (Toepler & Salamon, 2003).

Some of these tendencies have been researched in Western non-profit scholarship, and the body of literature dedicated to the region's NPS continues to grow. However, there are few insights by local scholars, with *insider* knowledge of the region and countries of the region available to the Western scholars, practitioners, and policymakers via publications in English. While most of the existing literature on the subject is available in languages other than English, it has not been translated to make it available to the wider Western audience. With our latest volume (Smith, Moldavanova, and Krasynska, 2018), we begin to fill this apparent gap by providing access to locally produced non-profit research from the EERCA region.

## **Distinctiveness of the NPS in the EERCA region**

Non-profit scholarship produced in the Western context is, without a doubt, potentially very useful in guiding the development of the NPS in the EERCA region. However, scholars of the NPS point out some important distinctions in the operational environment and the substantive aspects of the NPOs' activity in the region. Studies of the NPS in these EERCA countries are few; nevertheless, they contribute to a more nuanced understanding of ideas in

different social and political contexts (see Chapter 16 of Smith, Moldavanova, and Krasynska, 2018). In fact, some scholars argue that Western theoretical frameworks dealing with the NPS (Portes 2000; Putnam, Leonardi, & Nanetti, 1994) have, at best, very limited applicability in developing countries (Rose-Ackerman, 2001). We discuss this tendency by drawing also on literature in the larger post-communist area of Central and Eastern Europe, highlighting the following key topics:

### **Volunteering**

Western research on volunteering often links active involvement to issues of resource availability, both in terms of time and money (Wilson, 2012; Wilson & Musick, 1997). However, in the Central and East European context, there is evidence that, while improving economic conditions and individual well-being lead to greater individual willingness to donate money and goods to charity, they do not always translate into a greater willingness to volunteer one's time and skills (Regulska, 1999). This makes sense in the context of a developing economy, since improved financial well-being often results from people working more than one job. Therefore, wealthier people in a developing context simply may have little available time to volunteer. This explanation is useful for understanding the low levels of volunteering by retired people in the EERCA region: in the Western context, retirees often have both time and financial resources to dedicate to volunteering; therefore, they are among the most active population segments in volunteering (Nesbit et al., 2016). By contrast, in developing democracies with deteriorating social security systems, those of retirement age are often forced to continue working to earn extra income. Therefore, they often have less time and energy for volunteer work. However, a wealth of empirical research on many nations suggests that available time is relatively unimportant as an influence on formal volunteering, while psychological variables have *huge* predictive importance in multivariate analyses (Smith, 2015a; Smith with Sardinha et al., 2016), as S-Theory states (Smith with van Puyvelde, 2016).

There are important distinctions in voluntaristics scholarship (NPS and voluntary action research; see Smith, 2016) between *service program volunteering* and *associational volunteering* (Smith, Stebbins, & Dover, 2006: 24, 209, 244). Unlike the North American and Western European situation, in the EERCA region volunteering is far more likely in associations than in VSPs. VSPs (or simply, volunteer programs; Smith, Stebbins, & Dover, 2006: 244) are a very recent historical development, mainly arising in the past century (see Harris et al., 2016). VSPs are volunteer departments or units of larger, parent organizations, such as NPOs, businesses, or government agencies. By contrast, voluntary associations have a 10,000-year history, and have been present in every society studied that is more complex than a small, nomadic, hunting-gathering band (Harris et al., 2016; Smith, 1997).

### **Foreign funding**

Another important feature of the NPS in the EERCA region is *significant reliance on foreign funding* by NPOs and the lack of successful domestic fundraising efforts (Sundstrom, 2006). In most of these countries, where markets are often unstable and social security systems are unreliable, internationally funded NPOs, especially non-profit agencies rather than associations, are often seen as providing more stable employment opportunities (Mattes, 2003; Rose-Ackerman, 2001). When people begin to think of foreign-funded non-profits as desirable career options with more or less stable wages in a foreign currency, they are less likely to think of such NPOs, usually non-profit agencies, as places for civic engagement. When NPOs are primarily

viewed as an economic engine, then economic, financial, and self-serving motivations are likely to crowd out altruistic motivations of people's engagement with the sector (Fiorillo, 2011; Smith, 2017a, 2017b). However, if the NPO has a VSP, volunteers can still get involved for altruistic reasons. Formal associations and non-profit agencies in the region that are heavily sponsored from abroad are often viewed as top-down, rather than bottom-up, grassroots-style organizations, such as the millions of all-volunteer associations that characterize civil society in the United States and Western Europe (Petrova, 2011; Smith, 2015a, 2017a, 2017b; Wallace, Pichler, & Haerpfer, 2012).

### ***Political non-profits***

NPOs in the region are often used for *political purposes*, as in Western nations. Some of the major NPOs in the region are still sponsored by the state (such as communist mass organizations; Chao, 1952; and government-organized NGOs or GONGOS; Smith, Stebbins, & Dover, 2018) or used by powerful politicians to achieve their personal goals. A number of scandals in former communist countries, where state-dominated NPOs were *privatized* by their managers and used as tax shelters, have diminished the reputation of the NPS and worsened public perceptions (Rose-Ackerman, 2001).

### ***Trust***

Another important contextual factor is the impact of *social trust* on the development of the NPS. For instance, reliance on personal networks and a sense of particularized, rather than generalized, trust are prominent features of post-communist countries (cf. Howard, 2003). Rose-Ackerman (2001) argues that, in the Western understanding, if a society has a high level of social capital, its citizens are more likely to trust each other and to express trust in public institutions and the market. However, in the post-Soviet context, the link between trust in people and trust in state institutions is very weak or absent, and the virtually nonexistent trust in governmental institutions is instead based in the Soviet past, not in democratic accountability (Rose-Ackerman, 2001). Such factors all complicate formal associational involvement and volunteering, VSP volunteering, and the overall resilience of the sector (Aasland, Grødeland, & Pleines, 2012; Dinello, 2001; Iglić, 2010; Kaminska, 2010; Paxton, 2007; Rose-Ackerman, 2001; Smith, 2015a; Smith with Sardinha et al., 2016).

### ***Civic engagement***

Another way to address the issue of trust in the EERCA region has been to tackle it through the *educational system* and through *family upbringing*. Previous research has demonstrated that early socialization through the family and educational institutions is important for encouraging civic engagement (Flanagan et al., 1998; Smith & Wang, 2016; Torney-Purta & Amadeo, 2011). At the same time, educational systems and educational cultures in the Eurasian context are often based on old communist principles, and they tend not to encourage personal responsibility for societal problems (Koshmanova & Ravchyna, 2010). The development of democratic dispositions and a sense of personal responsibility were not part of the agenda in former communist states. Instead, the state attempted to achieve homogenization by minimizing differences between individuals (Flanagan et al., 1998). Therefore, even today, the existing social stereotypes combined with the authoritarian and very slowly reforming educational system (Koshmanova & Ravchyna, 2010; Torney-Purta & Amadeo, 2011) hamper the development of individual

predispositions toward taking personal responsibility and engaging actively in civic associations. Much research has shown recently that psychological factors that differ among individuals can explain much of the individual variation in levels of formal volunteering, contrary to the communist ideology of individual homogeneity (Smith, 2015a; Smith with Sardinha et al., 2016).

### ***Informal activity***

Informal support and help from family members and immediate friends, now often termed *informal volunteering* in the West (Einolf et al., 2016), has long historical roots in societies with high survival motives and in rural settings (Bridge, 2004). However, such support may not always translate into greater community participation and a stronger NPS in the EERCA regional context. On the contrary, particularized trust has been found to decrease general levels of social tolerance, thus discouraging pro-social behavior and civic engagement (Iglič, 2010). In the EERCA region, social networking in all social and political dimensions often takes the form of small networks of close friends and family, rather than as engagement with strangers and in public affairs at large (Aasland, Grødeland, & Pleines, 2012; Chavis, 2013; Dinello, 2001; Kaminska, 2010). Overall, the dominance of informal networks in virtually all spheres of public life can lead to a lack of transparency and lower levels of engagement in formal NPOs, especially associations (cf. Howard, 2003, for a similar conclusion).

At the same time, informal activity is a fact of life in the post-communist region, and especially so in post-Soviet countries (Aliyev, 2015; Einolf et al., 2016; Ledeneva, 2006; Smith, Never, Abu-Rumman, et al., 2016), and scholars suggest that the NPS, including formal NPOs, can coexist quite successfully with prevalent informal institutions (Böröcz, 2000). More recently, scholars have begun to consider contextual conditions of informality and its role in the development of civil society (see Einolf et al., 2016). They also have suggested some alternative approaches to assessing and understanding the NPS in the region. Some of these approaches include focusing on interactions among NPS actors and inputs and outputs of NPS initiatives, as opposed to merely relying on official metrics that take into account formal organizations, as well as including informal economic activity in the sector's assessment (Böröcz, 2000; Ekiert & Kubik, 2014; Einolf et al., 2016; Krasynska, 2015; Leskinen, 2014).

### ***Comparative perspective***

Generally speaking, several tendencies describe the NPS in the EERCA region. First, there are low levels of associational involvement, volunteering, and generally less formalized participation by citizens in community affairs, as compared to most Western contexts (Howard, 2003; Kaminska, 2010; Plagnol & Huppert, 2010; Rose-Ackerman, 2007; Smith, Never, Abu-Rumman, et al., 2016; Wallace, Pichler, & Haerpfer, 2012). Low levels of associational involvement in formal organizations seem to be pervasive across all former communist countries (see Howard, 2003; Smith, Never, Abu-Rumman, et al., 2016). For instance, a study by Wallace, Pichler, and Haerpfer (2012) compares participation in voluntary associations over the period 1995–2005 in the new EU member states with the post-communist Eastern Europe and the former Soviet countries that have not joined the EU. The study finds little difference between these two groups of countries, both of which have much lower associational involvement levels when compared to Western Europe and the United States (Wallace, Pichler, & Haerpfer, 2012).

In some cases, the unwillingness to join existing associations results from negative public perceptions regarding the effectiveness of such institutions and their ability to produce change or influence governmental decisions (Bekkers et al., 2016; Kaminska, 2010). Moreover,



considering the poor economic performance of many countries in the region, formal volunteering seems in part to be a necessity imposed by economic hardship, rather than merely an indicator of civic engagement or altruism (Rose-Ackerman, 2007). However, the central importance of psychological variables in explaining formal and also informal volunteering, even in Russia, must never be ignored (Smith, 2015a; Smith with van Puyvelde, 2016; Smith & Wang, 2016; Smith with Sardinha et al., 2016).

Additionally, particularly low rates of formal volunteering in Eurasia can also be explained partly by the absence of a civic infrastructure to encourage volunteering, and also a lack of incentives and opportunities for formal volunteering (Wilson, 2012). The literature review of Nesbit and colleagues (2016) shows that both meso-context (organizations, institutions) and micro-context (significant others, interpersonal relations) opportunities significantly influence formal volunteering. Although the NPS in the region is growing rapidly (Toepler & Salamon, 2003; Voicu & Voicu, 2009), the number of formal and informal civic associations remains very low compared to the Western democracies (Smith, Never, Abu-Rumman, et al., 2016; Stafetska, 2005; Stratēģiskās Analīzes Komisija Latvijas Universitāte, 2005; Toepler & Salamon, 2003).

### ***Intra-regional variations***

It is important to mention that, despite many contextual similarities, there are important *intra-regional variations* in the levels of associational engagement, social trust, social networks, and social capital among countries in the EERCA region (Aasland, Grødeland, & Pleines, 2012; Coffé & Van Der Lippe, 2010; Dinello, 2001; Kamerāde, Crotty, & Ljubownikow, 2016; Petrova, 2011; Plagnol & Huppert, 2010; Rose, Mishler, & Haerpfer, 1998; Rose-Ackerman, 2007; Wallace, Pichler, & Haerpfer, 2012). These differences can be attributed partly to the fact that communism was experienced in different ways across the region – and various countries also had distinct historical experiences with the demise of communism – subsequent transitional regimes, democratization processes, and, in some cases, countries' reversals to authoritarianism (Ambrosio, 2013; Coffé & Van Der Lippe, 2010; Freire & Kanet, 2012; Ljubownikow, Crotty, & Rodgers, 2013; Vanderhill & Aleprete, 2013).

Wallace, Pichler, and Haerpfer (2012) discovered variations in associational membership across countries in Central and Eastern Europe in 1995–2005; whereas there was a dramatic decline in participation levels in Romania, there was a small rise in participation in Slovenia, Moldova, and Ukraine, and in Bulgaria participation remained at the same low level (Wallace, Pichler, & Haerpfer 2012). Dinello (2001) also provides an illustration of intra-regional differences by comparing variations in the role of social networks in Hungary and Russia. In Hungary, social networks were used to enhance the transition to free market institutions, while in Russia personal networks were used to capture the market (Dinello, 2001). Therefore, despite contextual similarities, there are important EERCA intra-regional differences.

### **Impact of the communist past on the post-Soviet NPS in the EERCA region**

The context for non-profit activity is greatly shaped by historical and cultural factors, and the influence of the past is particularly significant in post-communist countries (Anheier & Salamon, 1999; Coffé & Van Der Lippe, 2010; Flanagan et al., 1999; Howard, 2003; Kamerāde, Crotty, & Ljubownikow, 2016; Plagnol & Huppert, 2010; Regulska, 1999; Rose, Mishler, & Haerpfer, 1998; Rose-Ackerman, 2001; Toepler & Salamon, 2003). For instance, Howard (2003) argues that three major factors explain weak civil society in the post-communist context in Eastern

Europe: (1) a sense of distrust of any kind of public organization; (2) a general satisfaction with one's own personal networks, accompanied by deteriorating relations within society overall; and (3) disappointment in post-communist institutional developments. In many cases, the communist past appears to be so powerful that it overshadows both institutional factors (such as membership in the EU) and sociodemographic factors (such as the rising level of education and income) conducive to the development of associational membership, social capital, and interpersonal and social trust (Aasland, Grødeland, & Pleines, 2012; Kaminska, 2010; Rose, Mishler, & Haerpfer, 1998; Wallace, Pichler, & Haerpfer, 2012).

Scholars generally acknowledge that the state-structured and forced volunteering prevalent in the communist era diminished people's intrinsic motivation to willingly volunteer their time (Kaminska, 2010; Plagnol & Huppert, 2010; Voicu & Voicu, 2009). Moreover, participation in religious organizations, which is an important factor commonly associated with higher rates of volunteering (Cnaan et al., 2016; Wilson, 2012), was, for ideological reasons, rare in the officially atheistic communist countries (although private religious belief often persisted). Hence, Central and Eastern European states inherited serious structural and cultural obstacles to formal volunteerism and civic engagement. Quantitative research on most (100–140) world nations indicates that voluntary association prevalence/frequency is substantially influenced by civil liberties and democracy (Schofer & Longhofer, 2011; Smith & Shen, 2002; Smith, Never, Mohan, et al., 2016), which were minimal or nonexistent in the Soviet Union (Swanson, 1974).

At the same time, there is evidence in the volunteering research literature that skills and attitudes gained from participation in state-controlled associations, including the Communist Party, appear to be useful for ongoing civic participation/formal volunteering in a more democratic system (Letki, 2004). This is consistent with research in Western nations, especially the USA, on *service learning*, which is often mandatory social service (pseudo-volunteering; cf. Smith et al., 2018), that nonetheless results in greater genuine adult volunteering years later (Jacoby, 2003; Smith & Wang, 2016). Unsurprisingly, some forms of voluntary work, such as group-oriented ecological activism, appear to be more prominent and better organized in the post-communist context, as compared to individual acts of charity, such as assisting the needy or displaced members of society (Flanagan et al., 1999).

## The broader significance of research from the EERCA region

The brief review just given discusses some of the general trends and observations, as well as empirical research findings, about the NPS, the state of associations, non-profit agencies, and volunteering in the EERCA region. These findings were mainly produced by Western scholars, and usually cover only English-language publications. The insights gained from Western scholarship are very valuable for understanding the role and significance of the region's NPS. However, many Western academics, including those cited here, present mainly an outsider's point of view. Thus, for objectivity, it is important to supplement such inquiry with exposure to research produced by local EERCA non-profit scholars in their native languages that has not been previously published in English. The latter is the main purpose of our edited volume (Smith, Moldavanova, & Krasynska, 2018).

That volume presents the qualitative and quantitative characteristics of the EERCA region's NPSs; the evolving relationships between civil society and the state; and the idiosyncratic expressions of the region's community and civic engagement represented by informal, cultural, and faith-based institutions, as well as volunteering; along with formal organizations, all of these various forms of civic expression constitute varieties of the NPS and attempts at civil society in the region.

Chapters included in the first part, entitled “Nonprofit Organizations: Nonprofit Agencies and Voluntary Associations,” provide a general overview of the NPS in the region, roles that the NPS plays in society, levels of citizen support of and participation in the NPO activities, and the historical developments and evolution of the NPS. Yulia Bidenko (2018) opens our edited collection with some comparative research featuring the development of the NPS in the two neighboring countries of Belarus and Ukraine. Her analysis highlights the importance of domestic political processes in shaping the sector’s capacity, roles, and functions, suggesting that historic legacies of Soviet domination are just one factor in shaping democratization efforts, as evidenced in the two countries’ divergences and similarities in democratic outcomes. Similarly to Bidenko, Rūta Žiliukaitė (2018) observes the persistent lack of general civic engagement by examining NPO participation in Lithuania. She conveys that while the number of NPOs has been on the rise, citizen engagement with these organizations remained relatively unchanged. She explains these developments by the persistence of Soviet historical legacy, in addition to a range of individual and sociodemographic variables. Analogous dynamics were observed by Tardea and Chobanu (2018), in which they provide an overview of the NPS in Moldova while comparing NPO activity and civic engagement in Moldova to those in other developing and developed countries. They conclude that the NPS in Moldova is relatively underdeveloped and lacks active citizen engagement. Ekaterina Ivanova (2018) takes a different approach in her investigation of the relationship between the state, business, and NPSs, by focusing on Russian professional and business associations and the role they play in society. She concludes that, while the formation process of this non-profit subsector is still in development, Russia’s business and professional associations are highly multifunctional and advocacy-oriented, and are significantly shaped by the Russian state. Shorena Sadzaglishvili and Mariam Kartvelishvili (2018) expand upon the topic of intersection of governmental, business, and voluntary sectors by discussing corporate social responsibility (CSR) trends in Georgia, a country where the governmental sector is generally seen as the main provider of social services. They suggest that CSR practices are underdeveloped in the country, citing legal and institutional shortcomings as key obstacles in the development of CSR. The contributions in this part of the volume collectively confirm the general lack of mass engagement in formal NPOs, and highlight the tensions as well as potential collaborative opportunities among the non-profit, business, and governmental sectors.

Chapters included in the second part, “Government–Nonprofit Relations,” analyze the complex relationships between NPOs and the state, and how those relationships are evolving over time. Several contextual factors appear to influence the relationship dynamics between non-profits and the state, as attested by our volume contributors, including the development of legislative frameworks for non-profit activity, non-profit fiscal regimes, and other regulations, as well as the nature and quality of government–non-profit collaboration in providing social and human services. This second part begins with Evija Kļāve (2018), who presents research about Latvian NPOs’ participation in the policy-planning process, featuring the case of EU governance documents. The author identifies a number of structural and collaborative barriers that inhibit a more effective involvement of NPOs in the governmental policy-planning process. Echoing the Latvian experience, Mikko Lagerspetz (2018) discusses NPO–government cooperation, noting that governmental officials often see both businesses and NPOs as public service providers, thus increasing competitive pressures. The author concludes, however, that competition for funding pushes Estonian NPOs to adopt practices heavily grounded in efficiency at the expense of other public values and their own missions, further leading to the decline of public trust in them. Mikhail Minakov (2018) examines a rather drastic example of a shift in government–civil society relations in the aftermath of a popular uprising in Ukraine (Euromaidan 2013–2014). While the government generally became more receptive to the needs of citizens as a result of NPOs’ increased engagement in the political process after Euromaidan, the

author's conclusions provide a cautionary tale of situations when the NPS's takeover of the traditionally governmental functions may potentially undermine a country's sovereignty. Medet Tiulegenov (2018) conveys Kyrgyzstan's experience with the NPS's increased participation in public policymaking as the result of the popular revolts in the country in 2005 and 2010. The author concludes, however, that while Kyrgyz NGOs are now more actively engaged in the process of political debate and monitoring governmental activities by participating in public oversight councils, there are continued challenges with regard to accepting NPOs as social players. Vladimir Osipov (2018) examines the development of global social movements, suggesting the case of Armenia shows significant interdependence between geopolitical factors and internal dynamics of the NPS in a given country. This finding justifies a supportive role of external actors (such as EU or United Nations (UN)) in helping domestic NPSs to properly develop, consolidate, and gain capacity and recognition.

Finally, Part 3 of the volume, "Informal Civil Society and Volunteering," is dedicated to informal NPS institutions that are quite prevalent and powerful in the EERCA region yet continue to be understudied by Western scholars of the region. It also features research on volunteering. Dainius Genys (2018) examines the scope of power and formation of NPS boundaries in Lithuania. While Genys' analysis reveals a generally low level of public trust in civic institutions and the NPS's general lack of capacity to exercise its power, informal association, cooperation, and resource mobilization present in the country have the potential to increase the capacity and effectiveness of the NPS and civil society in achieving goals. Fuad Aliyev (2018) discusses the potential of the traditional institution of *waqfs*, which are historically rooted in Islam. *Waqfs* have significant potential to function, the author suggests, as de facto non-profit credit unions in alleviating poverty in Azerbaijan. The chapter shows that cultural and religious traditions can be powerful actors in fostering the development of local philanthropic institutions in non-Western contexts. Similarly, Azamat Temirkulov (2018) uses the case of Kyrgyzstan to analyze a centuries-old *aksakal* institution that serves as a mechanism of dispute resolution in local communities of Central Asia and the Caucasus. While there have been recent changes in the Kyrgyz legislation to provide greater formal authority to *aksakals*, this institution is still inherently community-based and informal, which often creates tensions between *aksakals* and local government institutions, with the former often prevailing in community dynamics through their informal authority. Finally, the contribution by Tamara Nezhina, Kseniya Petukhova, Natalia Chechetkina, and Ilziya Mindarova (2018) features the results of research on volunteer recruitment and retention in Russian NPOs. The study expands the existing knowledge on managing young volunteers, and shows how values of a particular society (in this case, Russian society) could be capitalized on in order to increase levels of NPO participation and overall citizen engagement. Notably, one of the authors' surprising findings was the prevalence of "informal and spontaneous" volunteering among Russian youth. This finding led the authors to subsequently expand their typology of youth volunteering. This part of the book suggests that there are contextually distinctive non-profit and civil society institutions that can be grounded in cultural, historic, and religious traditions, as well as contemporary developments, such as the proliferation of social media.

The concluding chapter of the volume written by the editors provides an overview of the general themes, lessons learned from this collection of research articles, the larger interpretive intellectual contexts of this volume, as well as a discussion of potential directions for future research. The volume promotes the non-profit scholarship produced in the region that has previously received little attention in the Western world. It also advances the growth of the global interdisciplinary field and emergent academic discipline of voluntaristics (philanthropy, civil society, third sector, and voluntary NPS studies; Smith, 2013, 2016) by integrating regional academics more closely into the global network of voluntaristics scholars.

## Note

- 1 This is an edited extract from David Horton Smith, Alisa V. Moldavanova, and Svitlana Krasynska, "Overview of the Nonprofit Sector in Eastern Europe, Russia, and Central Asia," Chapter 1 in David Horton Smith, Alisa V. Moldavanova, and Svitlana Krasynska (eds), *The Nonprofit Sector in Eastern Europe, Russia, and Central Asia: Civil Society Advances and Challenges* (Leiden: Brill, 2018). The material is reproduced here by kind permission of the authors and Qin Higley at Brill. The editing of the extract was undertaken by Thomas Davies with the assistance of the authors.

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# NGOs in East and Southeast Asia

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## Introduction

East and Southeast Asia have an extensive civil society and NGOs sector. In the decade beginning at the end of the 1990s, there was a tide of NGOs mushrooming in policy arenas concerning the environment and human rights. There has also been a boom in the number of multinational NGOs operating or headquartered in the Asia-Pacific region (Glasius et al., 2002; Union of International Associations, 2010). By the end of 2013, there were over 500,000 registered NGOs in China. Among them, those registered between 1988 and 2013 account for the majority of groups (Tai, 2015). The number of international NGOs (INGOs) has also significantly grown in many Asian countries, including in Vietnam where it has been estimated that fewer than 10 existed in the late 1980s, rising to almost 500 registered INGOs in 2000 (van Phuc et al., 2002; Luong, 2006). Even in China where the political system is restrictive, the presence of international NGOs is similarly high with it being estimated that by 2005 there were about 3,000 to 6,500 INGOs within the country. These groups are often found to work in the social, educational, or health service sectors, as well as on environmental, women, and migrant worker issues which represent some of the key areas of interest in this region (Weller, 2006).

As Asian countries are greatly linked to and affected by the global structures of political economy, and as some of these societies experience democratization, the nature of transnational activism in the region is also affected (Jemadu, 2003). Compared to when they were first set up, in the last decade the NGO sector has further expanded, and more organizational development and inter-group coalitions have emerged. The articulation and interaction of NGOs with national political authorities has also become increasingly complex.

With this context in mind, this chapter analyzes the development and influence of NGOs in Southeast Asia and East Asia with particular reference to the case of China. We aim to provide a comparative account of NGO networks, strategies, and issue foci, focusing explicitly on the differences within and between the environmental, labor, and women's rights movements witnessed in East and Southeast Asian nations. To this end, in the next section the legal frameworks regulating NGOs are analyzed to help better understand the political contexts in which NGOs are located. The third section focuses on the organization and impacts of the three specific transnational movements mentioned above. In the fourth section, a comparison between the

movements and the various national contexts in which they operate is made to understand the key differences found across transnational activism in Asia. Conclusions are then drawn in the fifth section.

## **The legal context for NGOs and transnational networks**

Asian countries in general have shared the feature of developing strict legal frameworks to regulate domestic and foreign NGOs. These have impacted upon NGOs' organizational development, means of creating impact, and on the outcomes of their activities, as will now be discussed with especial reference to the Chinese example.

### ***Legal constraints on domestic NGO advocacy***

Among all Asian nations, China represents the one that has developed the strongest legal framework through which to regulate the NGO sector (Xie, 2002). Advocacy organizations, which are prominent actors in social movements in western liberal contexts, are significantly restricted in China. Although it has been argued that NGOs have achieved a degree of associational autonomy in expanding the organizational space between state organs and enterprise (Ma and Zhang, 2009), they are still constrained by the restrictive legal environment. Fearing the collective action that NGOs may attempt to mobilize, the Chinese authorities have shown an increasing concern with respect to the development of voluntary groups. As a result, the NGO sector has experienced changes in the regulatory framework in modern China over the past decades. In the last three decades, for instance, restrictions on associational activities have been strengthened and state authorities remain the key actors that control the administration of NGOs. They are particularly strict in the registration of voluntary organizations: for this, a dual supervising mechanism is utilized in order to control the growth of voluntary groups and organizations, requiring each NGO to find a governmental entity as its "mother-in-law" institution. At the same time, these civil society actors remain under the regulation of the Bureau of Civil Affairs (BCA).

States' regulation of NGOs elsewhere in this region is also generally very strong, and this NGO–state relationship affects NGOs' activities. Given that space for advocacy is often limited in the region, a large proportion of NGOs emerge around service provision instead (Kim, 2015). That said, some argue that service provision and NGOs' advocacy functions are not mutually exclusive, but can rather exist simultaneously alongside one another (Kim, 2015). Either way, service contracting could be seen as a means to enhance NGOs' legitimacy and aid in the development of good relations with a government. Such contracting, however, still heavily depends on a government's primary political agenda.

### ***Regulation of foreign NGOs: the Chinese case***

In recent years, the Chinese central government has further tightened regulation over international NGOs, which are intentionally distinguished from domestic NGOs. A specific legal framework has been developed to regulate this type of group. In 2017, the Overseas NGO Management Law was promulgated. This law can be seen as having a particular focus on advocacy groups, the registration and supervision over which differ from the foundation of service provision organizations, and it empowers the public security departments of the State Council to enforce regulation of NGOs on the provincial level. Hence, regulation of overseas NGOs is clearly being strengthened as such activities concern security authorities which is not the case in regulating domestic NGOs. It would seem that the regulation of international NGOs

is considered to be a national security measure that should be directly supervised by the state's public security authorities. This law was approved on 28 April 2016, coming into effect in January 2017, and applies to "foreign NGOs carrying out activities within mainland China. 'Foreign NGOs' as used in this law refers to not-for-profit, non-governmental social organizations lawfully established outside mainland China, such as foundations, social groups, and think tank institutions", according to its second article. This is a rather wide-ranging and loose definition. Several articles indicate that the law is designed to restrict the activities of "foreign NGOs". This is particularly evident in Articles 5 and 13 in the new Overseas NGO Management Law. To elaborate, in Article 5 it is stipulated that NGOs are prohibited from endangering China's "national unity", "ethnic cohesion", or "public order and morality". Article 13 seems to be designed to target INGOs that have headquarters in one country (typically a western nation) which functions as an executive power over their branches abroad. At the same time, Article 13 seems to serve to prevent a foreign-funded NGO office being set up in China and from making any inroads in Chinese politics, particularly where it is accountable to a legal entity registered abroad (such as to its headquarters or parent organization). In this article, such groups are excluded from participating in domestic politics and policy-making debates on the grounds that this could facilitate the representation of a foreign entity's claims within the domestic polity. This helps to demonstrate how rising powers are increasingly viewing international civil society as a potential national security threat. Consequently, the state strongly controls the links between domestic and international NGOs, particularly on issues such as human rights and women's rights.

The organizational and operational procedures of INGOs are also affected. INGOs are required to employ Chinese citizens as at least half of all staff members (Article 35), and there is the possibility that cooperation and networking between Chinese and international NGOs may be obstructed (Article 38). A few articles are more explicitly restrictive, including through the banning of INGOs from fundraising within mainland China (Article 26), as well as through Articles 28–32 of the law which stipulate somewhat restrictive controls regarding international funding and membership rules for foreign NGOs in their relations with domestic organizations, extending to their domestic registration as well. Furthermore, Article 32 declares that:

Units and individuals in mainland China must not accept retention, funding, agency, or covert agency *to carry out foreign NGOs' activities* in mainland China, from foreign NGOs that have not registered a representative office or filed to carry out temporary activities.

*(Law of the People's Republic of China, 2016, italics added)*

### ***The dynamics of NGOs in this context***

It is clear from the above that NGO–state relations represent a complicated issue in Southeast and East Asian countries. Here, state authorities are commonly strong and have played a significant role in influencing NGOs' organizational development, strategies, and impacts. As such, NGOs are constrained in their areas of work, although a vast array of NGOs have still been identified working on social issues, education, human rights, women's rights, and the environment. However, because of the potential challenges their activities may pose to government, NGOs are mostly encouraged to work in certain areas of the social, educational, and health service sectors (Weller, 2006, p. 127).

Given this context, it is argued that in Asia transnational networking and coalition-building constitute one of the most effective strategies for NGOs. Transnational activism comprises political activities that involve non-state actors and take place outside formal political arenas

(Piper and Uhlin, 2004). The networks involved may enable the bypassing of the state or the challenging of the principles upon which state action is based (Riker, 1995). They may involve a fluid process of associational coalitions (Wu, 2011), and the organizational structures or strategies of a network may have a notable influence on the efficacy of its work and the outcomes it can achieve (Riker, 1995). Networks are usually used for disseminating information and sharing resources. Shared resources, experiences, knowledge, and awareness have been significant in the new transnational networks which have been built around contemporary issues such as gender inequality, human rights, and the environment (Pongsapich, 1998).

One approach for transnational work to be developed is by financing local NGOs and associations, with more funding and NGO activity of this nature being witnessed in Asia since the 1980s (Gilson, 2011). When this tide of international funding began, slight variations emerged among the different national contexts as, by providing this funding, foreign donors are likely to have had an impact on domestic NGOs' foci and agendas. Nevertheless, and as noted previously, states control the links between domestic and international NGOs (Devasahayam, 2010), so transnational activist networks remain weak in comparison to the power of state and capitalist interests (Piper and Uhlin, 2004).

## **NGOs and transnational movements**

Transnational activism in East and Southeast Asia has exhibited some complex characteristics (Hildebrandt, 2013). Environmental, labor, and women's movements represent three major areas where transnational activism has been most visible in the past few decades. In this section, NGOs' activities, actors, networking, and strategies are discussed for each movement, beginning with the environment. The analysis focuses on comparing experiences in China with those in selected Southeast Asian countries.

### ***The environmental movement***

#### ***Issues***

Environmental governance is one of the areas which has seen a proliferation of NGOs responding to the diverse range of environmental concerns present in East and Southeast Asia. As witnessed in western societies, conserving nature and protecting animals have been key features in the mobilization of environmental NGOs (ENGOs) and environmental movements. Similarly, environmental concerns are often shown more prominently among the middle class, which has demonstrated a particular emphasis on conservation commonly witnessed among early environmentalists (Cotgrove and Duff, 1980). Among groups in Southeast and East Asia, collective action has been mobilized to protect endangered species and to protest against hydropower development over large rivers.

However, the complex social, political, and economic developments in Asian nations have fostered a diverse set of foci for this environmentalism. Among the issues that environmental NGOs are committed to, many focus on responding to environmental change, with air and water pollution being the two issues that have attracted the most attention within this. Other environmental issues, such as ocean conservation and pollution-linked threats to health and livelihoods, have also attracted notable attention from NGOs (Xie, 2009; Johnson, 2010, 2013; Holdaway, 2013). In contemporary Asian cities, waste management is another distinct area of concern that has resulted from increasing urbanization and the particular challenges this poses, with municipal waste (MW) being produced at an unprecedented speed. Consequently, a



rapidly growing number of NGOs working on promoting waste management have been set up in response, with facilitating behavioral change being identified as one of the key aims for their activities (Xie, 2015). In China, there are also increasing concerns among environmentalists around political articulation. As these societies have commonly lagged behind in environmental management, the political systems have been similarly weak in adopting effective environmental policy instruments, including the incorporation of the public in policy processes. Beyond the above, environmental groups also focus on advocating environmental justice and a rights-based defense of individuals' environmental welfare, linking in to ideas of environmental identity which stems from citizens' increasing awareness of rights and how these relate to the need to protect the environment. Indeed, environmentalists have engaged in place-protective activities within their local communities in which middle-class homeowners constitute the majority of protestors (Johnson, 2010). The key rights claims here focus on environmental welfare provision by government, promoting public behavior change as well as legal protection against state misdeeds (van Rooij, 2006).

In the past decades, economic growth boosted by the rapid exploitation of natural resources has posed challenges to the realization of sustainable development in the region. With the development of neoliberal economies, Asian countries are closely incorporated into the global system where national interests and international investors have contributed to an acceleration in their exploitation of natural resources. The problems that arise have become a rather complex interconnection of issues, incorporating land rights, human rights, livelihood insecurities (Nesadurai, 2013), and empowerment (Lamb et al., 2017; Cheyns, 2014). For instance, opposition against dam construction and land grabbing has been a key area in which environmental activists work. In Southeast Asia, interconnected concerns have been developed around palm oil-related land expansion, as seen prominently in Indonesia, Cambodia, the Philippines, and Vietnam. In such disputes, indigenous communities and landowners not only protest against large-scale international corporations, but are also confronted by national governments whose actions can impoverish local communities, including through establishing institutional arrangements that facilitate and support states or large-scale corporations in their control over land (Nesadurai, 2013; Borrás Jr and Franco, 2011). As such, activism around palm oil draws on interconnected political arguments that see the biofuel solution as a manifestation of multiple crises relating to biodiversity loss, climate change, the agribusiness model, energy policy, neoliberalism, and capitalism (Pye, 2010).

### *Actors*

As has been seen in developed societies, the dynamics between humans and the natural environment are complex. The development of ENGOs which engage with some of these complexities has led them to become one of the most active groups within civil society in East and Southeast Asia. Depending on the specific environmental issues of interest, different actors can be identified within environmental campaigns.

In China, for instance, domestic NGOs gained international connections and, as their financial situation became more secure, capable key figures and staff members of previous groups established new organizations (Xie, 2009). In this, international NGOs have had a strong impact in terms of assisting Chinese voluntary groups with their financial and organizational capacity building, so that there is now an increasing density of linkages between local NGOs and INGOs (Morton, 2008; Zusman and Turner, 2005). Apart from providing funding, they also facilitate knowledge-sharing around management and project monitoring for domestic Chinese NGOs. In this, localized international organizations have more chances to cooperate with Chinese ENGOs than those that do not have local personnel.



In contrast, in Southeast Asian countries actors mobilized in environmental movements enjoy a greater extent of diversity, as demonstrated by the social groups involved. Differentiated social classes have also been found among campaigners, including farmers, independent peasants, and migrant workers (Pye, 2010). These social groups can further differ significantly in the roles they play in such campaigns, with each social group raising varying concerns and issues in their struggles, as has again been seen regarding palm oil plantations. Case studies focusing on Indonesia's experiences of palm oil indicate that peasant activists have played a significant role in developing broader frames that link campaigns against palm oil to those of climate justice, while also developing close interactions with various thematic movements at the global level (Pye, 2010; Borrás, 2008). This is held to be achievable in part because peasants are financially less attached to land and politically not as influential compared to other social groups involved in movement campaigns.

### *Networks*

As in other policy sectors, Asia's environmental NGOs have been active in trying to develop transnational ties with international actors. For this, the environment is an issue area where NGOs have usually been able to find more space for organizational development and to promote their claims across many societies, including those in Indonesia and China.

In China as elsewhere, transnational environmental NGOs have flourished over the past several decades. Since the early 1990s, opposition was raised against the Chinese state's building of the Three Gorges Dam – the world's largest dam project. As much as US\$24-billion was required to invest in the project that generates renewable power to sustain the country's demand for energy. This is not to mention the negative social-environmental impacts this project has had, including the displacement of approximately 1.2 million people. On this issue, transnational activism was witnessed occurring outside China, particularly among environmentalists from the US and Canada, and was targeted directly at international investors with the development held to be endangering some of the principles behind human rights and environmental protection (Lee, 2013). In the years since, transnational activism has seen an increasing setting-up of INGO chapters in China, and particularly of those working on environmental issues that have regional and global impacts (for instance, the National Reform and Development Commission and World Resources Institute from the US, Greenpeace from the EU). These groups usually interact directly with government (Wu, 2011), building links with authorities while also pursuing opportunities to work at the grassroots level. As such, they are arguably more effective in achieving their goals as they have consolidated their networks and links with important domestic (i.e., state) and grassroots partners. In general, transnational networks can help produce shared identities and promote common understandings of issues. Domestic NGOs, therefore, strategically adopt environmental norms and advocate for domestic policy debates by incorporating issues from not only the national level, but also from the other levels of work influenced by international NGOs, such as on global levels (Kollman, 2007).

The role that transnational networks play largely depends on individual campaigners and domestic NGOs. In single-issue campaigns, transnational activists are more likely to have a positive impact upon movement development. For instance, on issues specifically concerning hydropower, transnational networks have complemented domestic environmental NGOs by representing local voices at the global level (Piper and Uhlin, 2004). In contrast, when issues adopted in campaigns are interconnected with various thematic global movements, an increasingly diverse range of frames have been adopted by activists which makes friction and a divergence of claims, activities, and goals more likely to occur within transnational networks.

## *Strategies*

Compared to the environmentalism which has developed in western Europe and North America, we can see similarities in NGOs' strategies to influence policy changes in East and Southeast Asian countries. Lobbying and advocacy constitute a major part of this work. Resource mobilization theory is enlightening when analyzing NGOs' mobilization and outcomes. Broadly, under this approach the attainment of resources, widely defined, is seen as being crucial to movements, with those which hold greater resources and which are able to use them effectively through formal organizational structures being arguably more likely to be influential in (environmental) governance (McCarthy and Zald, 1977). In China, NGOs' relations with government could be conceptualized as representing a key resource that facilitates their adaption to the country's specific political structure and subsequently influences the opportunities they may potentially have to advocate for change (Xie, 2009; Gaudreau and Cao, 2015). In different issue areas, advocacy activities have been recognized particularly where public participation is required in policy processes. However, as found in the privatization of water and the forming of water prices (Zhong and Mol, 2008), state-led public participation, achieved via NGOs as a channeling force, has reflected the various problems found in broader state–society relations and has not always resulted in improved policy outputs. Moreover, in the Chinese context where environmental governance is dominated by top–down policy processes, such state-led participation remains restricted in the extent to which it can fully represent local interests (Mao and Zhang, 2018).

In Southeast Asia, movement development has been significant across various levels. At local levels, for instance, many NGOs have pursued multifaceted individual and collective actions, including through sharing environmental knowledge to raise awareness and help create experts to guide debates about environmental problems (Laungaramsri, 2017). Among those involved in environmental struggles, legal approaches adopted for and by indigenous communities have increasingly turned to the civil courts to rule on their land claims (Nesadurai, 2013). At national and global levels, notable challenges exist for movements which attempt to influence government policies when directly questioning the governance of natural resources, or in situations when conflicting economic and political interests are involved (Bryant, 2001; Simpson and Smits, 2018). In systems where political restrictions exist, such as in Myanmar and Thailand, access to government has proven to be a useful resource when opposing policies on the exploitation of hydropower and large-scale energy projects (Bryant, 2001; Simpson and Smits, 2018). Apart from in areas where large infrastructure projects are planned, NGOs have managed to work with government and realize their targets. Owing to increasing environmental challenges and the impacts of environmental activism, political authorities have started to adopt more dynamic approaches to dealing with environment-related behavior and concerns as part of a larger set of political calculations, including through greater citizen engagement in climate change (Simpson and Smits, 2018). NGOs are also involved in transnational networks that advocate multi-stakeholder governance. In these ways, domestic campaigners have proved able to generate impacts at national and global levels (Pye, 2010).

## *The labor movement*

### *Issues*

In East and Southeast Asia, since economic integration has strengthened, labor migration has become a regional issue and has never featured more prominently within the region than it does

today. Consequently, over the past few decades there has been a rapid growth in the number and geographical spread of labor movements in Southeast and East Asia. These are linked to the colonial legacies where export-oriented development was established, tying the region to global markets (Ford, 2013).

Since the 1990s, the Asian economic crisis has dramatically influenced the context in which a growing number of international migrants have begun to spread from poorer to more industrialized countries in East Asia. Globally, there are currently 20.2 million immigrants originating from ASEAN countries. Among them, more than a third remain in the region (ILO, 2015; Harkins et al., 2017). The diversity and significance of migration flows has, therefore, grown exponentially (Kaur, 2009).

Migrant workers' issues broadly concern workers' general welfare, insufficient pay, job insecurity, unreported workplace injuries, under-deployment, forceful repatriation, and employer kickbacks for hiring and contract renewal. Abuse of female migrant workers' rights is also a visible problem, and has become an increasing problem for those who are involved in domestic work. In such an environment, sexual exploitation and other abuses commonly occur. This situation reflects the lack of labor protection that exists in the region, the absence of safe and legal migration opportunities, and gaps in the protection of workers' other employment rights.

In China, the emergence of labor movements differs across geographical locations as well. In affluent regions of the country, such as in Special Economic Zones where China's light and labor-intensive industrial sector is located, these movements are more focused on labor processes and rights abuses, including living conditions and managerial and workplace abuse (Chen, 2003; Friedman and Lee, 2010). Industry in these areas mostly relies on migrant workers who have engaged in disputes with factory owners in Hong Kong (HK), Taiwan, and South Korea, as well as with multinational corporations. These workers represent a distinct peasant group working in urban industries. Their *hukou* (administrative residential) status remains "peasant", significantly distinguishing them from urban workers. Within disputes, they are observed to be increasingly adopting legal measures to defend their interests, particularly after the passage of the Labour Contract Law in 2008 (Wong, 2011). This law aims to clarify workers' rights, providing better legal support in workplace disputes. Issues that are commonly pursued include demands for better working conditions and workers' legal entitlements. Given their foci and activities, these labor movements have been suggested to contribute to legal reform and to the raising of social demands for legal justice (Franceschini, 2014).

## Actors

The labor movement represents a divided camp that sees fragmented interests represented by a number of NGOs and unions. The term "migrant worker NGOs" refers to grassroots groups composed of former and intending migrant workers and migrant workers' families. These NGOs differ significantly from "migrant labor NGOs" which is a term commonly used to describe limited-membership advocacy organizations composed primarily of middle-class activists who advocate on behalf of migrant workers (Ford, 2006). Migrant worker NGOs are important actors in the labor movement. However, like other types of NGOs, these too have had to come to terms with dramatic changes in the political landscape, particularly as they are dependent on external funding and strongly influenced by donors' interests.

Furthermore, among migrant labor NGOs, strong competition has also led to increased complexity in the sector which has so far resisted underlying changes that have been reshaping community-based migrant labor organizations and unions (Ford, 2004). As a result of weak

organizational development, the political climate has also led to increased fragmentation in the migrant labor NGO community (Ford, 2006). With a stronger focus being placed on improving organizational development, migrant labor NGOs are criticized for not being efficient in representing workers' interests (Ford, 2004), and particularly of those who are employed in export-led industries.

Among all labor organizations, trade unions are key representatives of employees when negotiating labor contracts. In collective bargaining, trade unions primarily aim to improve workers' material interests, such as through pay raises and better working conditions. Trade unions are, however, criticized for not demonstrating an interest in migrant issues. According to Ford (2004, 2006), in the Indonesian case overseas migrant workers remain a low priority for domestic trade unions primarily because they are employed outside the country where local unions have no influence and have little desire to become involved.

In most Southeast Asian countries, trade unions are also strongly controlled by the state with some having no autonomy given the influence exerted by the central government. With limited space for developing freedom of association these groups are faced with constraints in their daily development, many of those in Indonesia remaining weak even after the ban on independent unions was lifted in the Trade Union Law (2010) (Juliawan, 2011). In Indonesia, trade unions have been limited in their bargaining power with which they can attempt to effectively represent workers' interests, including around work insecurity (Hauf, 2016). They are also faced with organizational contexts where employees have very little knowledge of trade unions, especially among the unskilled workforce in the export factory or home-based work sectors. States dominate trade unions in Southeast Asia by restricting their advocacy activities (Weiss, 2004) and by regulating their development in order to let enterprise operate without disruption (Kelly, 2002).

In China, the state apparatus has developed numerous approaches to contain opposition within the labor force. Empirical research indicates, for example, that space is allowed for grass-roots NGOs to develop, particularly where they help to mitigate tensions between workers and their employers (Zhang and Smith, 2009; Franceschini, 2014). Labor NGOs (LNGOs), which are the equivalent of worker support centers in western countries, have emerged to assist individual workers in taking on some of the labor protection tasks (Howell, 1995). Most of the LNGOs are concentrated in South China, where the global supply-chain manufacturing hub is located. LNGOs provide legal assistance to workers when they are defending their interests. However, migrant workers' associations have been found to lack autonomy under the restrictive political regime in China (Froissart, 2006), and often act as means for political stabilization under the rule of the Party state (Friedman and Lee, 2010). As a result, these organized bodies are not always found to be successful in representing workers' interests or promoting an agenda in their favor (Chen, 2009; Ding et al., 2002). Apart from organized groups, in areas where industrial sectors are concentrated, individuals have also been mobilized. Collective actions organized by laid-off workers from state-owned enterprises (SOEs) represent one of the successfully mobilized campaigns. In the years since 2015, individual labor activists have also built a nationwide network which has demonstrated the potential to mobilize nationwide collective actions (Chan, 2018).

### *Networks*

Many of the labor migration campaigns in the region do not operate autonomously, but instead take place within networks. Based on different geographical areas, there are two types of networks that play a significant role in Southeast Asian migrant workers' movements.

One of these types is regional networks that include both the source and destination countries, and have played an important role in coordinating collective action. The migrant worker problem has also been labeled as a local issue which brings more opportunities for the migrant workers' movement (Lyons, 2009). However, because of restrictive political systems, migrant workers' NGOs can only become active in certain countries. For instance, in richer contexts such as Hong Kong, advocacy has been better organized to include a wider range of labor issues, such as women's rights and part-time workers' rights. Hong Kong has thus become a hotspot for coordination among migrant NGOs (Hsia, 2009). Here, resources have been provided for migrant organizations, including systematic training, sponsorship for organizers from source countries to work in Hong Kong with other migrant organizations, and through ensuring that the representatives of grassroots migrant organizations are part of the decision-making bodies of NGOs.

The labor movement in Southeast Asia is also incorporated into transnational activism networks that extend to the global level. Within this second type of network which has a global reach, enterprise and consumers are important parts. The links between these levels and actors are exemplified in the impact of national campaigns promoting labor rights on global union and corporate practices through customer pressure (Hauf, 2016). Another international aspect is the involvement of intergovernmental actors, including the ILO, OHCHR, and UNESCO. These actors have provided opportunities for migrant movement activists in Southeast Asian countries to advocate for the adoption of international conventions to improve the situation of migrant laborers. In policy advocacy at the global level, international coalitions bring together the cross-sectoral scope of migrant labor NGOs and the organizing experience and capacity of unions (Ford, 2006).

### *Strategies*

In Southeast Asia, where organized labor has retained a higher degree of autonomy than in China, the migrant labor movement has adopted various strategies to create impact. Here, an increasing number of protests have successfully mobilized industrial workers who have taken to the streets in large numbers to challenge state and business interests (Bermeo, 1997; Neureiter, 2013). However, large-scale strikes and mass demonstrations have also sometimes had the negative effect of resulting in violence (Hauf, 2016; Juliawan, 2011). Such protest forms have also been limited to workers as it remains difficult to mobilize wider citizens' support for migrant worker issues. Labor organizations have found it hard to develop partnerships with a fragmented middle class in these societies (Rodan and Jayasuriya, 2009). Nevertheless, it is predicted that radical protests will continue to play a more central role within social struggles around the future development of society.

Chinese labor NGOs, on the other hand, are scattered and lack coordination. With a clear goal of curbing the organization of collective action, the state has developed strategies that actively disincentivize participation. This makes Chinese labor activism rather weak and may not, therefore, fully fit common definitions of a "movement" which displays certain scale and independence in the organization of collective actions (Diani, 1992). That said, across China coordinated actions have still seen the involvement of several hundred thousand participants (CLB, 2012). The goals of these activities differ, ranging from general labor rights to protesting against specific and unsatisfactory arrangements put in place for laid-off workers (Lee, 2007; Cai, 2006).

In this context, labor NGOs in China have developed tactics to influence political authorities. They are found to "resist through accommodation", which means that these NGOs engage

in efforts to cope with the challenges posed by the state and the market as they change over time (Jakimov, 2017). However, as workers have been found to be more inclined to organize and participate in collective action when their own subsistence is threatened (Chen, 2000), the state has conferred individual rights while restricting collective ones as a means to limit the incentives for protest by raising the costs of participation (Chen, 2016), reducing the likelihood of its occurrence. Nevertheless, Chinese labor NGOs are so fragmented and disconnected from their supposed constituency that it would be an overstatement to depict them as an important force contributing to legal reform or raising social demands.

## ***Women's rights movements***

### *Issues*

Gender inequality is a common issue for women's movements in Southeast Asian countries and China. Generally speaking, those identified in Southeast Asia have a slightly broader range of foci, bridging gender inequality with wider human rights concerns. There is particular attention to the domestic sphere, as may be perceived in strict Muslim societies where daily activities, interaction in the community, and family rules shape women's social positions and gendered roles. Regionally, women migrants' rights have also been a focus of attention, revealing the gendered context, particularly where government policies have shown visible weaknesses regarding female houseworkers' issues, such as in Indonesia and Malaysia (Piper and Uhlin, 2004). Embedded in the wider social and economic contexts, there is a lack of government protection of the well-being of migrants with gendered implications. From this perspective, women's inequality also represents a broader transnational issue in the region.

Similarly, China's women's movement has placed its emphasis on gender inequality. Women's inequality can be perceived as being deeply rooted within Chinese society, as it has been claimed that according to Confucian culture women must obey men. Such ideas have been present in Chinese society for about 4,000 years and, as a consequence, gender inequality is widely spread throughout many aspects of social and political life. This has resulted in gender disparity in occupation, educational levels, and income (Li, 2000). To illustrate this point, men are more likely to occupy the most desirable jobs and their participation outside the home is higher than that of women. Men also have better educational opportunities. However, concerns over gender inequality have remained more narrowly defined in China than in Southeast Asia and its implications for human rights have not been incorporated so extensively into the agenda of China's women's movement.

### *Actors*

In Southeast Asia, there is a mixture of NGOs that work toward empowering women. In these countries, women have traditionally been obliged to conform to strict gender roles as mothers and grandmothers. However, with an increase in movement activism in the region, women's involvement has been recognized in different protests, such as those around land grabbing, forced evictions, civic activism, or struggles over gender itself (Nightingale, 2006). Land grabbing and forced evictions in particular have created an activist movement among women, with women having different social roles, rights, and opportunities when large-scale land transfers are made (Behrman et al., 2012, p. 51). For instance, many women ran businesses that benefited from tourism, but over the best part of a decade many have lost their livelihoods and homes to land transfers. NGOs have helped women to become empowered through facilitating their



involvement in protest (White and White, 2012). For this, women protestors have drawn on their gender roles in society, as mothers and grandmothers, to legitimize concerns about the future of their families and communities. Women have been at the forefront of these campaigns with many becoming effective community leaders and human rights advocates as a result, for instance in Cambodia (Brickell, 2014). These activities can have wider positive effects as housewives have become more involved in their local communities and have had more time to collectivize, for instance (Lamb et al., 2017). However, such practices have also risked reinforcing the unequal gendered positions that often exclude them from politics in the first place (Einwohner et al., 2000).

In promoting women's rights when resisting religious extremism in Southeast Asia, a broader range of actors are involved. On Islamism, for instance, these include not only Muslim women's groups, but also progressive scholars and intellectuals, wider civil society organizations, non-Muslim women's groups, human rights groups and movements, inter-faith coalitions, and, to a limited extent, political parties. This wide range of actors reflects the ways in which women's inequality represents and speaks to some of the broader structural injustices that are rooted in legal regulations and religious beliefs. Gender inequality, therefore, represents a daily struggle for many in Southeast Asia (Brickell, 2014).

In comparison, China's organizational forces are mainly constituted by a smaller range of NGOs. Within this, government-organized NGOs (GONGOs) have played a significant role in China. These are one of the major social organizations that have been established since 1949 to act as a belt linking government and the mass of the population. In recent decades, greater autonomy has been seen in these groups, with women's GONGOs playing a significant role in promoting empowerment. One of the notably influential organizations within this has been the All-China Women's Federation (ACWF).

As a country, China has a strong recent history of engaging with women's issues. In 1995, Beijing held a global conference that promoted the UN's flagship gender equality document, the Beijing Declaration and the Platform for Action being adopted by 189 countries. Further, in 2007 China joined the Global Fund to fight AIDS, placing a particular focus on the vulnerabilities of women, girls, and sexual minorities in the fight against the disease. In the past few years, therefore, mainstreaming women's empowerment in international development has also gained momentum. It is suggested that the Beijing government has increasingly leveraged its foreign policy resources, extending to funding, political commitments, and high-level events with the UN, on this issue as such deeds are likely to promote China's publicity as a responsible global actor in the international community. Therefore, women's GONGOs also work proactively on the international stage. They facilitate educational experiences in the context of expectations and mandates for increased access and equity for girls and women.

However, China's women's movement has still been restrictively controlled by the government, including through this dominance of government-organized NGOs (Howell, 1996; Jacka, 2010). With key women's organizations being state-organized NGOs, these GONGOs have to maintain organizational links with the government while at the same time engaging with advocacy, including that which may challenge the former (Tsimonis, 2016; Liu, 2006). As a result, they focus on select issues relating to women's inequality, such as domestic violence and family planning. Moreover, they have to adopt particular tactics when campaigning on issues that may seem to be sensitive to central government, such as when linking the government's economic policy as one of the root causes contributing to women's inequality in China.



## *Networks*

In Southeast Asian countries, women's transnational networks have enjoyed a slightly higher level of freedom to promote social change. Advocacy on the international level for domestic policy shifts is a key focus recognized within the women's movement in the region. Specifically, such advocacy aims at raising governments' awareness and promoting structural changes benefiting women. Broad networking activities also exist among major regional movements, with overlap present between the various international coalitions organized around development issues, global financial architecture, food security, and global social justice. However, many networks remain rooted in their own national struggles and must respond to their particular political contexts (Caouette, 2008).

However, as is seen in the labor and environment movements in parts of Asia, states still strongly control the links between domestic and international NGOs on issues such as human rights and women's rights. The effects of advocacy by transnational networks also differ. Some suggest that within state boundaries transnational activist networks on women's rights have shown a weaker character when compared to the power of states and capitalist interests (Piper and Uhlin, 2004). On the regional or national level, they have shown a limited influence over states, especially those that have not committed to democracy and human rights. In comparison, norms articulated at the global level, through global instruments and institutions, have comparatively greater power to procure change (Renshaw, 2017). Again, this reminds us that different possibilities for advocacy activities exist depending on the levels at which actors operate (be this local, national, regional, and/or international), each level demonstrating varying political contexts and offering a different range of political opportunities to which activists and NGOs can adapt.

## *Strategies*

Both direct action and advocacy activities have been seen in Southeast Asia's women's movement. At the local and national levels, women's protest has centered on exposing injustices and inequities to national and global audiences, highlighting the gender ideals denied to them in their daily lives. However, as mentioned above, negative effects from such mobilization may also be seen. For instance, NGOs' gendered mobilization strategy is found to have imposed pressures upon women (Chan, 2016; Lindquist, 2010), and risks reinforcing the unequal gendered positions that often exclude women from politics in the first place (Einwohner et al., 2000).

On women's issues, transnational networks have enjoyed a slightly higher level of freedom to promote change than on other issues that are deemed politically more sensitive. At regional and international levels, transnational networks have also developed rights-based advocacy. They aim to raise central government's awareness of international conventions and promote policy reform on migrant workers' and women citizens' rights (Renshaw, 2017). Such activities have included litigation measures, promoting state behavior change, and civic activism. With the assistance of international actors, local NGOs have also collected information that is effective in generating boomerang effects on national governments (Renshaw, 2017). It has been argued that in the long run, such activities have the potential to result in substantive policy shifts, although institutional changes have not yet occurred.

As stated previously, as key women's organizations in China, GONGOs have to maintain organizational links with the government while conducting advocacy that may challenge state

policies (Tsimonis, 2016; Liu, 2006), focusing largely on issues such as domestic violence and family planning. Some assess China's women's movement as having made significant progress in promoting women's rights in the country (Kaufman, 2012). However, the implementation of an international participatory agenda is not sufficient to achieve the goal of changing gender relations if institutional factors in local government are not tackled (Jacka, 2010). At the same time, it is also argued that cultural factors prevent the Chinese from being actively involved in transnational activism networks, including a distrust toward international actors and uneven development within the NGO community (Hildebrandt, 2012).

Initiating empowerment projects has provided another important way of generating impact. These are broad activities that range from education to microfinance programs provided for women (Al-Shami et al., 2016). Local activist groups realize that the promotion of gender equality is further tied to other global problems such as persistent poverty, with women being disproportionately afflicted by such deprivation.

In Southeast Asia, existing social structures prove to be an influential factor which impacts upon women's empowerment (Kabeer, 2012; Al-Shami et al., 2016). Microfinance programs aim to produce direct benefits by providing training and financial assistance for women. As part of this, local NGOs have developed close links with communities and have helped women to become involved in starting their own businesses, gradually gaining financial independence and enabled to leave their homes to deal with their businesses, or to visit their relatives (Holvoet, 2005; Kato and Kratzer, 2013). Studies of urban Muslim communities from Malaysia indicate that microfinance is an effective tool for women's empowerment, with positive results for gender equality socially and economically (Al-Shami et al., 2016). It has been noted, however, that the impacts of microfinance vary from one context to another because of demographic and socioeconomic differences (Hulme, 2000; van Rooyen et al., 2012).

In the Chinese context, on the other hand, established institutional constraints can prove to be obstructing influences on empowerment projects. Women's education is one example of an area where women's NGOs have attempted to promote change through practical and experimental projects, including through building links with international and global NGOs to promote innovative ways of training women in leadership. For instance, the NongCun Scholarship was designed to anchor girls' educational development in an egalitarian participatory model, in which each party could trigger future initiatives. However, given the predominance in China of well-established educational routes, such practices are resisted by students, parents, and local teachers. Instead of seizing such opportunities, established routes toward success through key high schools and university entrance exams remain the preferred means of advancement (Seeberg et al., 2017).

## **A comparison of NGOs in China and Southeast Asia**

Asian societies are experiencing rapid economic and political changes, with transnational activism being influential in the development of domestic activities, including through the environmental, labor, and women's movements. Asian NGOs are increasingly engaging with transnational networks, which have played a significant role in linking with domestic actors to influence national governments (Pye, 2010). However, with state authorities continuing to dominate over these societies (Loh and Ojenda, 2006; Caouette, 2008), NGOs have developed varying degrees of autonomy in their choice of strategies and their interactions with transnational networks.

With regards to the range of issues that NGOs work on, it seems that those in Southeast Asian countries have shown a broader range than those in China. In each thematic movement,

there are no clear-cut boundaries. Cases of land-grabbing campaigns in Southeast Asia have demonstrated complex interconnections, incorporating interlinking issues of the environment, women's rights, and migrant workers' rights into their claim-making. This reflects the complex social, economic, and environmental changes these societies are experiencing which have resulted in inequality and injustice among different social groups.

In Southeast Asia, NGOs have also shown a broader range of movement strategies than those found in China, including direct action, lobbying, and advocacy. On issues such as the environment, migrant workers, and women's rights, large-scale collective actions have been mobilized, sometimes with the involvement of transnational networks. In particular, the labor and women's movements have shown a strong focus on forming transnational links, hence more activities have been organized on national, as opposed to local, levels.

In contrast, China seems a particularly narrow space for NGOs to operate in given the limited political opportunities and active constraints on their potential influence. In the case of the environmental movement, slightly more options are available than with the other two areas of political activism considered in this chapter. In this case, NGOs have displayed a combined strategy to impact upon government authorities, which differs little from their counterparts in western Europe and North America (Middleton, 2016; Haddad, 2017). However, while some space is available for NGOs to conduct lobbying and advocacy, China's NGOs show a reluctance to engage in outward protest. As such, among all strategies adopted, filing lawsuits and involvement in advocacy toward national government prove to be common options. The adoption of these strategies demonstrates that movement networks remain an important source for introducing the ideas around and knowledge of international norms.

In Southeast and East Asia, NGOs' work has been developed at different levels of governance, including at local, national, and/or regional levels. With regards to the political outcomes of transnational social movements, they have commonly produced only limited impacts on formal political space (Collins, 2008; Gerard, 2014; Chavez, 2017) and in influencing policy change (Ghimire, 2011). However, transnational activism has succeeded in influencing governments to review policy processes, and both local communities and government authorities have become increasingly aware of the issues raised by NGOs. These are suggested by some to be necessary steps in preparation for further institutional changes in the near future (Chavez, 2017).

It is also noticeable that domestic NGOs in Southeast and East Asia have gradually developed their own character in terms of organizational development and movement dynamics, including in response to the differing relationships between domestic NGOs and transnational networks. In some issue areas, such as on the environment, domestic NGOs in Southeast Asia have taken a greater lead in efforts to develop transnational activism. Here, they have displayed a more proactive role when interacting with transnational networks and have shown strong initiative when trying to contextualize the knowledge and expertise brought by international actors. In comparison, in other issue areas domestic NGOs in Southeast Asia appear less proactive and more reliant on international NGOs for developing their agendas and strategies for achieving desired outcomes. In China, where the political system imposes more constraints upon the emergence and operation of NGOs, transnational activism appears disjointed with limits to the connections that can be formed with international networks. As a result, NGOs have developed tactics to work with government to bring about change in the issue areas they are concerned with.

## Conclusions

With Asian countries' increasing involvement in the global economy, transnational activism is predicted to become more prominent in various policy arenas. Compared to earlier experiences,

such social activism has progressed significantly over the last two decades. However, strong political restrictions remain in these societies. These countries have developed complex administrative procedures to regulate the organization and operation of autonomous NGOs. In consequence, these NGOs have turned to transnational activism in efforts to bring about institutional changes, including through the adoption of combined strategies and tactics with other groups and issue areas, as well as through the promotion of national or local perspectives within transnational networks (Pye, 2010).

Taking the above into account, there appear to be several areas that are worth examining in future research. Located in their distinct sociopolitical and economic contexts, Asia's NGOs have been influenced both by global activism as well as national or local identities. However, domestic NGOs have shown increasing autonomy in developing their agendas and in the adoption of strategies and tactics (Pye, 2010). It is noted that various social groups exist and partake in movements, reflecting the interconnected social, economic, and political conditions in which they exist. Therefore, apart from focusing on domestic NGOs' links with international actors, interactions among different domestic groups also warrant attention. As part of this, attention ought to be placed on the dilemmas facing domestic NGOs' development and organizational structures, including around the effects of competition with other NGOs and of the coalitions deliberately formed among these groups. This competition, for example, potentially obstructs the formation of collective action and may prove to hinder the links between domestic NGOs and transnational activists.

In conclusion, state–society relations are a key factor in NGO development in Southeast and East Asia. NGOs have developed strategic approaches to access governments, such as by providing services and complementing governments by representing local interests. More attention is required to understand the dynamics between governments and NGOs, however, especially those that are influenced by transnational networks. Key questions going forward would therefore seem to be: what policy areas and processes can be identified that formally recognize NGOs' involvement, and what roles do NGOs play within these? And what are the implications of such participation, particularly as Asian countries become increasingly incorporated into existing global economic and political systems?

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## NGOs, democracy and development in Latin America

*Inés M. Pousadela*

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While categorized as a middle-income region, with most of its countries and territories falling into the middle-income category, Latin America is highly heterogeneous, with countries ranging from the western hemisphere's only low-income country, Haiti, to high-income economies such as Chile; from heavily indebted poor countries such as Bolivia, Honduras and Nicaragua, to rising powers like Brazil, the world's seventh largest economy. Most of its countries, including those with the highest incomes, are also internally heterogeneous and highly unequal. Despite experiencing high economic growth over the past decade and achieving impressive declines in poverty and significant declines in inequality during the 2000s and early 2010s (roughly compensating for their deepening in the 1980s and 1990s), Latin America continues to be the most unequal – although by no means the poorest – region in the world. While poverty went down by about 30%, inequality levels (as measured by the Gini coefficient) dropped from 0.54 in 2000 to 0.5 in 2010. Even the most equal country in the region, Uruguay (0.41), would qualify as very unequal by OECD standards.<sup>1</sup>

Most countries in the region are procedurally democratic – that is, they regularly hold elections that are mostly adjudged to be free and fair. Many, however, still bear the marks of their past authoritarian experiences. Most of them also suffered from chronic political instability throughout the 20th century, and many had authoritarian regimes (often led by the military) in the 1960s and 1970s – and in some cases, well into the 1990s. Starting in the late 1970s, the region took part in the so-called “third wave” of democratic transitions (Huntington 1991), with countries (re)democratizing as early as 1978 (Dominican Republic) and as late as 1993 (Paraguay) and 2000 (Mexico). Despite a few short-lived interruptions over the decades that followed, elections eventually became the only game in town almost everywhere. The routine alternation of elected governments was accompanied by novelties such as the election of several women, a former trade union leader and an indigenous activist to the highest executive office.

As noted by Oxhorn (2001), however, third-wave transitions in Latin America were peculiar in that they saw political rights granted in the absence of universal civil rights and in a context of declining social rights. Democracy therefore survived, if not thrived, in environments characterized by deep social inequalities disproportionately affecting women, youth, indigenous peoples,

rural populations and Afro-descendants; high social conflict; mounting citizen security issues; and increasing distrust in politicians, political parties and democratic institutions more generally. Democratic experiences fell short of citizens' expectations and human rights violations persisted in democratic contexts, due to actions by both state agents (the military, the police) and private entities (criminal organizations, corporations, paramilitary groups). As a result, fear of authoritarian reversals was largely replaced with concern with the quality of democratic governance, bringing to the forefront human rights issues as well as issues of representation, participation, accountability and responsiveness – all of them largely affecting civil society's actions and prospects, and setting the ground for NGO activity in the region.

### **Civil society and NGOs as contentious conceptual objects**

Broadly speaking, a non-governmental organization (NGO) is any not-for-profit, voluntary citizens' group organized at the local, national or international level. In that wide definitional sense, "NGO" would be just another name for a civil society organization (CSO). In the context considered in this chapter, however, the term NGO is commonly reserved for a specific kind of CSO: legally recognized, formal and structured, often generously funded, comprising technical experts and professionals and carrying out programs and projects, usually aimed at promoting democratic governance and/or the social and economic development of least favored groups. Although they can use voluntary work, NGOs in this sense are not structured around it, and are rather led by professional teams and made up of professional activists. As pointed out by Sorj (2007, 2010), NGOs emerged as the typical 20th-century vehicles for the representation of causes and the promotion of public debate – trade unions and political parties – declined. NGOs differ from pre-existing organizations representing specific constituencies in that they "promote social causes without a mandate for those that they claim to represent" (Sorj 2007: 133), therefore building their legitimacy in the moral force of their arguments rather than their representative character. NGOs are not typically membership organizations (which makes funding an issue) and usually lack a stable and homogeneous social base; with few exceptions, they do not exert direct pressure through mobilization, and are therefore more reliant on the media to promote their agendas.

The NGO label is dated and, at least in Latin America, it carries an extra amount of meaning. First and foremost, there were no NGOs in the narrow sense in Latin America before the 1980s, when the term, along with the reality it designated, first spread across the region. In fact, the term "civil society" itself also made a comeback in the region in the 1980s – both were the creatures of (re)democratization.

Both terms, and the NGO label even more so, are the objects of contention. As Roitter (2004) points out, academic concepts may diverge from the ways these are appropriated by social actors. And in many countries in the region, the term NGO is increasingly avoided, as organizations fitting the description would rather call themselves CSOs. When the name is still used, it often entails a contentious meaning, denoting a critical stance toward the named object. Many organizations, and particularly grassroots ones, even if legally recognized, reject so-called "NGO culture" as mainstream, pro-establishment, technocratic and not socially sensitive – if not as complicit with the neoliberal state's retreat from its social and regulatory obligations.

Disputes around names are also disputes for meaning. As democratic transitions largely overlapped with market reforms, the acritical revindication of civil society has, as some have warned, often led to a depoliticized "naïve apology of the market" (Lechner 1994). From the 1990s

onwards, many in the region have viewed the top-down promotion of an institutionalized, malleable, NGO-ized civil society (or, worse, “third sector”) as a form of “controlled inclusion” aimed at isolating and taming social movements.

Over the past decades, a critical literature opposing civil society, seen as centered on registered, professionalized and well-funded NGOs, to the more confrontational and disruptive social movements developed in the region. From this perspective, NGOs are budding bureaucracies intent on continuing to exist regardless of their actual impact on the communities they work with or whose interests they claim to represent, and therefore prone to co-optation by whoever owns the resources that they need to survive. In contrast with the budding NGOs of the 1960s, seen as playing a supporting role to popular politicization, the increasingly professionalized and depoliticized NGOs of the 1980s and 1990s came to be seen as growing at the expense of, and a replacement for, radical social movements.

NGOs and social movements’ logics certainly diverge: while NGOs claim to act on behalf of constituencies or their rights, social movements embody the right of those groups to be present where decisions are made (McKeon 2009). And while NGO practitioners usually see their activities as supplementary to those of social movement activists, and may even see themselves as part of a movement, activists belonging to radical social movements often criticize them as functional to the global, capitalist world order (Souza 2013). This, however, does not exclude the possibility of synergic relationships between the two: as pointed out by Esteves, Motta and Cox (2009), while there is a tension between officially approved versions of popular political participation (“consultation”) and attempts by people to participate in politics on their own terms, such as through protest and direct action, it is also true that alongside mainstream NGOs that antagonize social movements there are also “non-compliant NGOs” who cooperate with them, leading to great successes in terms of policy change and the advancement of their causes.

## Origins and development of modern NGOs in Latin America

Broadly defined as the sphere of voluntary association located outside the family, the state and the market, civil society in Latin America is dynamic and diverse. It comprises a vast variety of heterogeneous groups of all sizes and degrees of formalization. Advocacy, research and consultancy NGOs working on various issues coexist with social movements, trade unions, peasants’ and students’ organizations, and faith-based, cultural, recreation and service-providing organizations, along with countless informal and local groups engaged in a wide variety of activities.

While the modern NGO is a recent development, its predecessors date back to the early history of the region. Ever since independence days there were faith-based philanthropic organizations focusing on health, education and the attention of orphaned children and older people. In the 19th century many of the functions fulfilled by these organizations were taken over by the state, but some of them persist today.

Long before nation-states consolidated toward the late 19th century, numerous public good and mutual help institutions formed, particularly in the areas of social welfare, education and culture – some of which started to decline as states began to play a more active role in public health and education. Between the late 19th and early 20th centuries, the first modern workers’ organizations emerged in the countries that industrialized earliest, and employers’ organizations were founded as well. Women’s organizations, neighborhood associations, immigrants’ mutual help, cultural organizations and libraries, cooperatives, professional associations, social and sports

clubs and charity organizations, often linked to the Catholic Church (and, to a lesser extent, to other congregations), also proliferated. And so did, soon afterwards, student organizations and federations: the first congress of Latin American university students took place in Montevideo, Uruguay as early as 1908. As of the 1950s, trade unions had fully developed in the more industrialized countries of the region, and large union federations were already in place.

The available regional-level literature and a variety of country studies agree on placing the origins of modern civil society as we know it in the second half of the 20th century, in the context of development processes and critical reactions to them; democratization processes and the institutionalization of human rights at the regional level, and the development of the social sciences (Cáceres 2014). A leap forward took place in the 1960s and 1970s, when various support institutions, institutes, study and research centers, scientific foundations and cultural organizations proliferated in country after country. As a result of university reforms in the late 1960s, multidisciplinary study centers were also established (Delamaza 2009).

While some traditional charity organizations remained so, others turned into, and many others were founded as, development NGOs, including a number devoted to forming social leaders through popular education and promoting the organization of peasants, workers, students and the urban poor. In the initial stages, typical NGOs would also include those providing leadership and community training, technical assistance, legal advisory and agricultural credit, social work youth organizations, community radios and other alternative communications projects. Soon after, they would widen their agendas to address emergencies (e.g. through food distribution) and additional aspects of capacity building (e.g. skills in production, commercialization or microcredit). As NGOs specialized in urban issues were established, particularly in countries like Brazil, Mexico and Peru, the concept and practice of local citizen participation were introduced under a “radical” format (Cáceres 2014). It was common at the time for activist NGOs to hold a double activism, both social and political. Development NGOs also sought to exert influence on public debates by disseminating research findings and critical reflections through periodic publications.

Strongly mission-oriented, devised as support tools for nascent social movements and bringing along a politicized notion of development, many NGOs maintained links with and received support, including funding, from like-minded development agencies and Northern NGOs. These links prioritized affinity and trust over planning, management and reporting requirements, therefore allowing local NGOs enough flexibility to operate, and often included solidarity actions in Northern countries.

In sum, contemporary NGOs originated and developed in a period of high social and political effervescence, in contexts of rapid urbanization, internal migrations, cultural secularization and, in some cases, civil wars (as in Guatemala and El Salvador), internal armed conflict (as in Colombia and Peru), struggles against authoritarian regimes (such as the Somoza dictatorship in Nicaragua) and (re)democratization processes. The ideological context of the early years, in turn, was shaped by the specter of the Cuban Revolution (1959), the religious renewal brought by the Second Vatican Council (1962–1965), the notions of emancipatory participation put forward by radical scholars, researchers and educators such as Paulo Freire, and – particularly in Central America – the reformist, anti-communist efforts undertaken by the US-driven Alliance for Progress. In this context, many NGOs radicalized their discourse and aligned with revolutionary social and political movements or operated as links between the elites and the popular sectors (Garretón 2002).

In the 1970s, dictatorships ruled over much of South America, civil wars raged in Central America and guerrilla movements made strides here and there. Throughout the region,

organized workers and students were violently repressed. As pointed out by Fernandes (1994: 21), however, “community work escaped controls, and thus it managed to expand under the most violent regimes, as in Pinochet’s Chile”. Not surprisingly, this era saw the development of a dense network of popular and grassroots organizations. Neighborhood associations grew in number and prominence, and took on numerous local issues, including water, garbage collection, children care, schooling and food. In several countries, networks of local women formed to cater to local social needs. The Liberation Theology strand of the Catholic Church identified the struggle against poverty and underdevelopment with anti-imperialistic and anti-capitalist struggles, and advocated a preferential option for the poor, thereby playing a key role in spreading so-called Church-based communities. These formed a movement that achieved nationwide influence in some countries, notably Brazil, El Salvador and Mexico. In the case of Chile, the role of the Catholic Church as a shield against state abuses also shaped early human rights NGOs (Delamaza 2009).

During the late 1970s and early 1980s, the NGO sector was also boosted by internal conflict, notably in Central America. In Guatemala, as internal displacement became massive, many NGOs specialized in humanitarian work. As repression against them increased, many NGOs entered the realm of non-governmental diplomacy in international forums, denouncing systematic human rights violations and seeking humanitarian aid for the displaced population (Becerra Pozos et al. 2014).

An additional boost came in the form of natural disasters, including the 1972 earthquake in Nicaragua and the 1976 earthquake in Guatemala. NGOs played a big part in coordinating work and channeling reconstruction aid. Similar effects were observed in the aftermath of the Mexico City earthquake of 1985 and after Hurricane Mitch in Honduras and Nicaragua in 1998. In the case of Mexico, the quantity of international resources pouring in after the earthquake gave NGOs new capacity, visibility, negotiating power and influence (CEMEFI et al. 2011); social mobilization also increased as neighborhood associations fought post-earthquake relocation plans (Avritzer 2006).

In the 1970s and 1980s, then-called “new social movements” (Touraine 1978), structured around issues, also emerged. These included many present-day indigenous, peasant and landless people’s organizations. As theorized by Bobes (2002), the emergence of social movements led to the establishment of a more plural and democratic public sphere, by retracing the boundaries between state and society and redefining citizenship and inclusion criteria – that is, by redefining the symbolic horizon of politics. As a result, democracy became something more than electoral procedures – it became inseparable from the existence of a dense web of associations formed at the margins of the state and a plural public space not controlled from above.

The first “classic” human rights organizations, focused on torture, arbitrary detentions and the search for disappeared people, were founded in the late 1960s and 1970s; the rapid consolidation of human rights NGOs throughout the region was, in turn, the main development of the 1980s. Women’s rights agendas also gained visibility in the 1980s: although women’s and feminist movements had a long prior history in the region and women had gained spaces in social movements and left-wing activism in the 1970s, these had not been particularly receptive to gender agendas (and had been outright hostile to gay rights) or, for that matter, to any other agendas, including environmental ones, that could be considered as “distractive” from the “primary contradiction”, that of class. Similarly, gay rights, later known as LGBTTI, organizations began timidly as early as the 1960s and 1970s in some countries, but had limited to no space in many contexts marked by the logic of class struggle. They were boosted in the 1980s and 1990s both by national democratization processes and the global AIDS epidemic, but their influence

in policymaking only became more visible in the 2000s and 2010s. By then, gender and queer studies had become legitimate areas of academic work, feeding into the policy process.

A new wave of women's rights and feminist organizations came to life as countries democratized and became more integrated into global networks and processes, including the landmarking United Nations' world conferences of the 1980s and 1990s. They formed an increasingly diversified movement that also included research institutes, professional associations and, in some countries, women's groups within unions and political parties. Eventually, this led to the placement of various "women's issues" (sexual and reproductive rights, equal pay, gender-based violence) on the public agenda.

The first environmental organizations questioning current development patterns and not easily classified on the left–right ideological spectrum were also born in the 1970s and 1980s. Smaller, poorer, less urbanized and industrialized countries lagged in terms of civil society development and density, as described in Pimentel (1997) for the Dominican Republic; however, in those cases too the origins of modern NGOs are dated between the late 1970s and the mid-1980s. That was also the case in Nicaragua, although here, as in other politically polarized countries, the organizations created in the 1980s and 1990s were characterized by limited autonomy from the ruling party (Cáceres 2014).

Since the 1980s and 1990s, within the "dual transition" process to democracy and market economics, as well as in the flawed democratic contexts that ensued, NGOs – and civil society more generally – have played a variety of roles in promoting better democratic practices (transparency, accountability, citizen participation, gender equality, etc.) and supplementing state action, and even stepping in when the state retracted in key areas, notably health, education, poverty reduction, and community and rural development.

## NGOs and the struggles for democracy and human rights

As theorized by Avritzer (2006), civil society formed throughout the region in reaction to some form of authoritarian state. NGOs and social movements played prominent roles in the opposition to dictatorships and other forms of authoritarian rule in the 1970s and 1980s, and in the subsequent restoration (or first-time establishment) of democracies. In Argentina, a paradigmatic case, the first modern human rights organizations formed in the 1970s, under the last military dictatorship (1976–1983) and even earlier. In the beginning, the trend was for small groups of relatives of missing/detained persons (such as the world-famous Mothers of Plaza de Mayo) to form; later on, more formal organizations, including research centers like CELS (1979), were founded.

In much of Latin America, the ascent of civil society in the 1980s represented a new phenomenon rather than a restoration: the emergence of forms of collective action that sought to exert influence rather than seize power was quite a novelty. In some countries more than others, and in large measure because of the work of human rights organizations, the human rights discourse established new legitimacy criteria for politics. Notably, as issue-based advocacy organizations multiplied, the human rights language became a political lingua franca, used not just by "classic" human rights NGOs, but also by other NGOs and social movements demanding specific rights in a variety of areas, from housing to gender identity.

According to Keck and Sikkink (1998: 92), in the late 1990s the region had

more domestic human rights NGOs than other parts of the third world. A 1981 directory of organizations in the developing world concerned with human rights and social justice



listed 220 such organizations in Latin America, compared to 145 in Asia and 123 in Africa and the Middle East. A 1990 directory lists over 550 human rights groups in Latin America; some countries have as many as sixty.

The expansion of the sector took place in the region at the same time as human rights norms and standards globalized and international human rights mechanisms, forums and institutions developed. In this context, a new generation of specialized and professionalized NGOs took over from their missionary and activist predecessors, formed wide regional alliances and developed strong links with international networks.

In Latin America as elsewhere, there were strong top-down incentives – increased funding and political access, along with the rise of a pro-NGO norm – for this to happen (Reimann 2006): formal NGOs flourished as funding from international cooperation sources poured in during democratization processes and, in Central American countries ravaged by civil war, during peace processes. In Chile, for instance, the highest growth rates of NGOs were observed in the 1980s, supported by international cooperation and solidarity initiatives toward Chilean exiles both by European bilateral official cooperation and non-governmental cooperation toward churches, unions and other groups (and, later in the decade, by US support for democratization). A new generation of professionals with experience of activism prior to the coup, who had been fired from state positions, expelled from universities and persecuted by the dictatorship, found safe haven in NGOs (Delamaza 2009). In Guatemala, as the peace process took off in 1986, an explosion of international aid fueled the growth of the sector, and countless grassroots organizations and NGOs, subsequently organized in coalitions and networks, were established to advocate for a wide range of rights (Becerra Pozos et al. 2014).

Engagement in international forums further fueled the multiplication of NGOs and the internationalization of their agendas. There are currently 493 Latin American NGOs with ECOSOC consultative status.<sup>2</sup> At the regional level, the Organization of American States (OAS) has also established various spaces for CSO participation in its political bodies. As of June 2015, 465 organizations were registered with the OAS,<sup>3</sup> and hundreds more enjoyed consultative status with specific OAS mechanisms – for instance, human rights and women’s rights organizations have such status with MESECVI, the mechanism for follow-up on the implementation of the Belém do Pará Convention.<sup>4</sup>

The relationship with international cooperation sources shaped the NGO sector as we know it, as cooperation agencies sought local partners that were “able to formulate projects, monitor their execution, and give account of their finances”, therefore promoting the establishment or consolidation of “legal entities, with minimal administrative structure and congenial goals” (Fernandes 1994: 37). As a result of these relationships, the newly established sector became increasingly segmented around constituencies and issues. The pragmatic logic of NGOs was reinforced by the fact that funding typically went to specific projects rather than to the organizations themselves.

## **Governance, accountability and trust**

As analyzed in Peruzzotti and Smulovitz (2002), the human rights NGOs that emerged under authoritarian rule in countries such as Argentina, Brazil, Chile, Mexico and Peru established a new form of rights-oriented politics dedicated to protecting the autonomy of civil society against the exercise of discretionary power by the state. Countless NGOs organized around accountability issues emerged throughout the region covering a broad agenda ranging from

environmental to consumers rights. According to Peruzzotti and Smulovitz, the main focuses for these organizational networks have been citizen security and police violence; judicial autonomy and access to justice; electoral fraud; and government corruption. They have embraced ample repertoires of action, including the development of monitoring tools, filing legal claims, working with media to expose wrongdoing, and promoting citizen education and social mobilization. As analyzed by López Pacheco (2012) for Colombia, human rights NGOs became major social accountability actors using a broad range of tools, including focused humanitarian peacebuilding interventions in conflict zones. In doing so, they also succeeded in activating institutional accountability mechanisms and institutions.

NGOs have played a key role in developing legal instruments to improve access to justice (some of which were eventually incorporated into national constitutions) and in promoting the establishment of institutions and mechanisms to monitor specific state institutions like local governments, the judiciary or Congress – such as the *veedurías ciudadanas* in Colombia.

NGOs have also played an electoral accountability role, promoting democratic norms through the observation of elections, across the region (Lean 2012). Election monitoring is usually carried out by wide and diverse NGO coalitions and relies on large numbers of trained, unpaid volunteers.

With international election monitoring on the rise, domestic election observation began to be promoted in the early 1990s by international organizations, international NGOs and aid agencies. Over time, election monitoring programs evolved from basic poll-watching to “integral” observation, encompassing the entire process before, during and after election day. Domestic election monitoring NGOs and networks had a key democratizing role in Mexico and Peru. In the former, NGOs first coalesced around the promotion of free elections through comprehensive observation in 1993 (Avritzer 2006). In the latter, a massive, multidimensional non-partisan observation project was conducted on occasion of the 2001 elections, covering every aspect of the process including an audit of the voter registry, massive civic education efforts on the media, the promotion of an agreement among contenders around the principles of a civil campaign and election-day observation carried out by thousands of trained volunteers nationwide.

While it never replaced international observation, domestic monitoring eventually became widespread: since 1998, various civic networks have monitored national election processes in 18 Latin American countries, and in 2000, electoral observation organizations from 14 countries in the region formed a collective observation platform known as the Lima Agreement (*Acuerdo de Lima*). In between elections, most electoral observation NGOs work on related issues such as election reform, civic education and government transparency, including monitoring of public spending.

Additionally, NGOs and other CSOs across the region have worked to address threats to basic civic space freedoms. Where protests have been violently suppressed, NGOs have pushed for the elaboration of regional standards and monitoring mechanisms for the policing of protest; where journalists have been attacked and killed, NGOs have launched protection initiatives; where human rights defenders have been assassinated, NGOs have also pressed for the establishment of protection programs and then monitored their implementation, and as the newly established programs have failed to stop the killings, NGOs have proposed reforms to make them more effective; where the freedom of expression has been hindered by criminal defamation laws or the arbitrary distribution of state advertising, CSOs have organized campaigns for legal change (CIVICUS 2016).

Over the past decade, NGOs have played a key role in promoting open government initiatives and pushing for the introduction of Access to Information legislation throughout the

region. Such laws have so far been passed in Mexico (2002), Panama (2002), Peru (2002), the Dominican Republic (2004), Ecuador (2004), Honduras (2006), Nicaragua (2007), Chile (2008), Guatemala (2008), Uruguay (2008), El Salvador (2010), Brazil (2011), Colombia (2014), Paraguay (2014) and Argentina (2016).

As they pushed for enhanced accountability by public office holders, and increasingly by private actors as well, the legitimacy of NGOs themselves came into question. According to the Edelman Trust Barometer (2018), trust in NGOs currently ranges from 57% in Brazil to 71% in Mexico. Transparency International's 2013 Global Corruption Barometer, the latest available edition containing disaggregated information about perceptions of corruption in NGOs for 11 countries in the region, showed a proportion of respondents who felt that NGOs were corrupt or extremely corrupt ranging between 20% in Uruguay and 53% in Venezuela. In Uruguay, along with Argentina (22%), Chile (32%) and Colombia (37%), NGOs were seen as the least corrupt sector, in contrast with political parties, seen as the most corrupt (with numbers ranging from 48% in Uruguay to 81% in Colombia).<sup>5</sup> Typically higher than that of political parties, Congress, the police and the judiciary, but increasingly lagging behind that of other actors, and notably of religious bodies, the reputation of NGOs in the region seems to have declined over the years. This appears to be the result of factors such as the impact of corruption scandals affecting few NGOs but damaging to the sector as a whole; and the presence of "fake" NGOs linked to politicians and used to channel public funds toward partisan activities. Growing doubts regarding the transparency of NGO practices and the perceived lack of consistency between discourse and practice have prompted many Latin American NGOs to adopt voluntary accountability commitments and to take on a more active role in the development of a global standard for CSO accountability.<sup>6</sup>

## Peacebuilding and regional integration

With a few exceptions in the 1980s, peacebuilding issues have not ranked high in the agenda of Latin American civil society, and NGOs tackling these issues tended to focus mostly on limiting the political role of the Armed Forces. Civil society also worked, in border zones and capital cities, to overcome potentially conflictive situations between various sets of neighboring countries, but their influence was limited; their work did not sustain in the long term and failed to produce wide and stable civil society networks at the national, regional or sub-regional level. They also focused more on conflict resolution, particularly at the community level and in the anglophone Caribbean (e.g. in Jamaica), than on conflict prevention, and this work usually remained in the hands of religious organizations. The most significant initiatives in this thematic area arose in post-conflict situations in Central America (particularly in Guatemala) and in contexts of persistent internal conflict, such as Colombia (Serbin 2005).

According to Bejarano (1999), civil society started playing a bigger role in so-called second-generation peace processes (that is, those initiated in the early 1990s), and most notably in the cases of Guatemala, Colombia and Mexico. However, this participation remained limited to creating a context more conducive to peace, for example through peace education, rather than having an actual effect in terms of stopping violence and bringing warring parties to the negotiating table. In fact, civil society work was consistently aimed at "widening the center" to seek negotiation and make the use of force morally impossible. In Mexico, for instance, this happened through actions such as solidarity caravans, observation missions, community reconciliation mediation, national citizen consultations, civilian peace camps in conflict hot-spots, community reconciliation campaigns, peace education, the organization of visits by international human rights organizations, national peace demonstrations, and lobbying with

national institutions and international mechanisms with a peace, human rights and indigenous peoples' rights mandate.

Later studies such as Alther's (2006) emphasize the role of NGOs, largely faith-based and/or pacifist in orientation, to encourage and support peace communities in Colombia, in collaboration with local partners and working within communities and engaging with national and international institutions. According to this analysis, NGOs often played a role in the community's initial decision and/or provided support if it opted to become a peace community. Most organizations involved in the decision-making phase were national NGOs such as REDEPAZ (National Network of Initiatives for Peace and Against War) or the Catholic Church, while international NGOs prevailed among those providing subsequent support. More recent accounts emphasize NGOs' focused humanitarian peacebuilding interventions in conflict zones, involving direct assistance to victims, the promotion of dialogue and the implementation of alternative initiatives to strengthen democracy and promote peace, and eventually playing a role in the peace negotiations (Manrique 2014). According to López Pacheco (2012), as the conflict in Colombia deepened, NGOs played a mediating role by speaking on behalf of victims based on their legal expertise. As a result, organizations of victims' relatives became more centrally articulated within a space created by human rights NGOs.

According to Serbin (2005), at the regional level opportunities for civil society participation in peacebuilding and conflict prevention increased in the 2000s. Spaces opened in inter-governmental forums, and notably in the UN, with its Global Partnership for the Prevention of Armed Conflict (GPPAC), whose 2005 global conference was organized by civil society. At the regional level, potential for involvement increased since the OAS' 3rd Summit of the Americas (2001). Although civil society actors have typically found it difficult to address security and defense issues, from 2002 onwards some NGO networks have been active in mapping potential armed conflicts and civil society actors that could help prevent them; and in pushing the issue at the regional level, into the agenda of the OAS General Assemblies, the Summits of the Americas and in the Committee on Hemispheric Security of the Permanent Council.

Another point of entry for these (and other) issues have been regional integration and coordination mechanisms – the Association of Caribbean States, the Central American Integration System (SICA), the Andean Community and Mercosur. However, civil society influence has remained consistently low within integration processes, despite the establishment of multiple spaces for civil society participation (ALOP 2009; Santos Carrillo 2013; Luna Pont 2016).

## **NGOs and the Washington Consensus**

Partially overlapping with the democratization wave, the region experienced a transition toward market economies, guided by the principles of the so-called Washington Consensus, including the de-regulation of the job market, the privatization of social protections (notably retirement funds and health coverage), a retreat from universalist policies, which were replaced by focus on the poor, and decentralization and the transfer of policy functions to subnational units (provincial and/or municipal governments, depending on the country), often without the transfer of concomitant resources and capacities (Soldano & Andrenacci 2005). Not surprisingly, the 1980s became known as Latin America's "lost decade", characterized by the debt crisis, economic adjustment and deindustrialization, slow growth and increasing unemployment and poverty, both of which continued to increase even as growth eventually resumed.

In this context, new NGOs emerged to provide for social needs, largely supported by international cooperation funds. Rather than replacing the professionalized human rights NGOs of

the 1980s, this new wave of professional, even technocratic, NGOs came to coexist alongside the former.

CSOs in the region increasingly strived to fill the gaps that neither the state nor the market had been able to fill – or that they in fact created. In this context, multilateral banks – and the international community more generally – adopted the language of “citizen participation” and “state-civil society partnerships” and conferred increasing roles in social policy implementation on CSOs, often as a specific condition for funding. This resulted in states introducing a civil society participation component in their policies, often involving the participation of the policies’ beneficiaries themselves (Arcidiácono 2011). Several foundations also established programs for “civil society strengthening” in the region, including the Ford Foundation, the Friedrich Ebert Foundation and various governmental or para-governmental US organizations, including the US Information Agency (USIA), the US Agency for International Development (USAID) and both the National Democratic Institute (NDI) and the National Republican Institute (NRI) (Arcidiácono 2011).

Notably, international financial institutions claimed to value civil society’s ability to provide information about social demands and needs, and to effectively implement government policies aimed at responding to them, with minimum operational costs. A key idea, as emphasized by Esteves, Motta and Cox (2009), was that of the “ownership” of reforms, which could only be achieved through the involvement and participation of local populations in development projects. Close to the local communities and equipped with the necessary knowledge and expertise, including “proven” methodologies for community participation, NGOs were viewed as the best available implementers of such projects.

Civil society involvement was thus articulated in a language that borrowed heavily from the 1970s vocabulary of grassroots organizing, with its emphasis on participation, popular education and community empowerment. But these terms were now depoliticized, centered on technically defined projects dominated by donors’ agendas, and narrowly local. In this context, critics viewed the rise of NGOs as a tool of neoliberal hegemony – the mirror image of the decline of social movements. NGO cooptation became a widespread phenomenon, and many NGOs were created specifically to satisfy donor or funders’ demands (Esteves, Motta & Cox 2009).

On the basis of the analysis of 32 NGO directories in 24 countries, Fernandes (1994) concludes that the most crowded categories of NGOs in the 1990s were training/consultancy, education, research and health –with some countries, such as Bolivia and Guatemala, where the proportion of the latter was particularly high. According to additional research carried out by Navarro (1994) in Chile, Costa Rica and Venezuela, in the early to mid-1990s seven sectors – education, health, child nutrition, housing, rural and urban community development, and the environment – accounted for 78% of CSOs. Not surprisingly, the “vigorous economic force” of the non-profit sector, in terms of wealth creation, employment and the mobilization of volunteers, was seen by many as a cause for celebration (Roitter, Rippetoe & Salamon 1999).

Soon afterwards, NGOs began to be seen as a “partner” in promoting development and reducing poverty not just for the state but for the private sector as well (Fiszbein & Lowden 1999). Since the 2001 launch of the United Nations’ Global Compact, further strengthened by the G20 decision to enlist Corporate Social Responsibility (CSR) toward the achievement of the Millennium Development Goals, collaboration between CSOs and private companies increased in the region. Nevertheless, it remained a budding phenomenon, with partnerships typically staying in the philanthropic phase – structured around cash or in-kind private donations in response to CSOs’ requests – or in the transactional stage at most, without ever becoming “strategic alliances” (Austin et al. 2005).

It is worth noting that a rigid distinction between service-delivery NGOs fueled by economic liberalization and advocacy NGOs stemming from democratic struggles is difficult to sustain. Democratization and the retreat of the state overlapped, and in many countries jointly gave birth to an autonomous civil society that had not existed in the past. In Mexico, for instance, as the debt crisis erupted in 1982 and a massively destructive earthquake hit the capital in 1985, citizens organized to address the issues that the government was unable to respond to. Lacking access to public resources, these organizations prospered thanks to international cooperation and solidarity from Northern NGOs. As a result, an autonomous NGO sector formed by the 1990s that was able to address a wide range of issues, from food and housing to indigenous and environmental rights, citizen participation and democratic governance.

As service-delivery NGOs mushroomed throughout the region, a new wave of organizations addressing the social consequences of the Washington Consensus policies also emerged under the form of radical, ideological social movements using a wide range of methods, from lobbying, dialogue and negotiation to mass protest and confrontation. However, NGOs tended to stay in the more institutional end, away from the more contentious tactics embraced by social movements.

### **Funding patterns and the reshaping of civil society**

As a result of the two processes described, the number of CSOs in the region exploded. Regardless of widely differing baselines, relative sizes and levels of dynamism, the sector grew exponentially throughout the region. Reliable numbers are difficult to come by and disaggregated data for the NGO subsector are typically unavailable, but the results of civil society mapping efforts undertaken in several Latin American countries all point in the same direction. In Chile, close to 240,000 CSOs were counted in the most recent survey, amounting to a 120% increase when compared to an estimate from one decade earlier (Centro UC 2016). With 40.5% of its organizations created between 1991 and 2005, Chile's not-for-profit sector has become one of the biggest relative to the country's population. In tiny Honduras, between 8,000 and 10,000 organizations were counted in the early 2000s (Cruz & Espinoza 2003), while approximately 3,000 registered NGOs (out of 17,000 associations, including churches, neighborhood associations and others) were found in Guatemala (Becerra Pozos et al. 2014).

While growing in size, the composition of civil society has markedly changed due to shifts in funding patterns. Although official development aid (ODA) from OECD countries has increased exponentially in absolute terms since the 1960s, the region's share of global aid decreased from roughly 20% in 1960 to around 12% in 2011 (after reaching its lowest point in the 1980s and somewhat increasing in the 1990s).<sup>7</sup> As elsewhere, the bulk of international cooperation funds flew toward governments; an extremely small proportion went directly to domestic CSOs. Newer forms of development cooperation, including South-South initiatives, followed the same pattern.

According to civil society sources, international cooperation funds allocated directly to CSOs are usually small, involve complex procedures and tend to lack continuity. Whenever bigger amounts are involved, they typically concentrate in a handful of larger NGOs. During the 1980s and 1990s much of the aid was channeled through INGOs located in OECD countries; nowadays, many INGOs manage their own programs in recipient countries, consequently reducing access to funding by domestic NGOs. In some countries, particularly in the Southern Cone, international cooperation funds are increasingly channeled through local and federal governments, which in turn sub-contract with CSOs to deliver social programs (Pousadela & Cruz 2016).



International funding typically takes the form of projects supported by donor countries' embassies or government agencies, foundations from donor countries (sometimes linked to political parties) and special programs funded by multilateral organizations. Faith-based organizations are also supported by their international affiliates. Although each cooperation agency follows their own procedures and has its own thematic (as well as geographic) funding targets, much of the available resources ends up being directed toward service delivery and emergency assistance for poor populations, along with capacity development for local actors.

CSOs in many countries in the region have recently experienced discontinuities in funding due to both structural processes and critical junctures. First and foremost, several countries in the region are now categorized as middle – or even high – income, with funds flowing disproportionately toward the remaining low- and lower-middle-income countries. Second, many OECD countries, including the Nordic ones, are starting to prioritize funding to other regions of the developing world and therefore designing “exit strategies”, notably from countries in Central America. Third, as economic recession hit important bilateral donors, and particularly Spain, operations in several countries closed and fund transfers toward the rest decreased. Reductions in European bilateral aid had a particularly strong impact on CSOs and networks promoting human rights and democratization. Lastly, whatever funding is still directed toward civil society in the region, the number of CSOs currently pushing for their share is many times higher than it was just a couple of decades ago.

Although international cooperation continues to be the main source of funding for civil society in the region, levels of dependence appear to be lowest in the Southern Cone and highest in the Andes, Central America and parts of the Caribbean. CSOs in the region have also increasingly become recipients of domestic government funds – a portion of which comes indirectly from international aid sources – a trend that seems to be deepest in countries where international cooperation has traditionally been lowest, and distinct sub-regional patterns have emerged depending on the relative weight of foreign assistance, government funds and private donors on CSO resources (Pousadela & Cruz 2016).

Most countries in the Andes and Central America, as well as Paraguay in the Southern Cone, still receive considerable international cooperation funds, some of which are channeled through local CSOs. This type of funding applies mostly to projects on democratic governance, human rights, food security, emergency response, poverty alleviation, education, health and the environment. International cooperation agencies often fund CSO activities in areas that domestic states do not; sometimes, they also support CSOs that lack access to government funds because their governments either discriminate against them for ideological reasons or view them as competitors for international funding rather than potential allies.

While government funds still represent a small contribution to CSO resources in countries that retain priority status for international cooperation agencies, they have become a major source of income for CSOs in the Southern Cone, and particularly in Chile and Uruguay, which receive the lowest proportions of international cooperation funds. As pointed out by Delamaza (2009) for the Chilean case, as the country democratized and the civil society elite migrated to the government, international cooperation came to be channeled through the state, and CSOs were forced to seek a relationship with the public sector, which focused on the implementation of social programs.

Unlike traditional international cooperation, domestic states tend to focus their links with CSOs on social services delivery. Indeed, most of this government funding is earmarked for social projects in the areas of health or poverty alleviation and/or targeted at children, youth or women. As a result, the composition of the sector has shifted: the share has increased of CSOs



that act as social service providers, implementing public policies without typically having a say in their conception and design, to the detriment of more vocal advocacy NGOs and networks.

Penetration of private funding of CSOs, in turn, is highly uneven in the region. It is generally still very low, with few exceptions like Colombia and Venezuela, where foreign funding was historically limited and domestic funding from private sources was established earlier. In Colombia, the density of corporate foundations is among the highest in the region. Many of these foundations, however, run their own social and economic development programs – only in selected areas, such as peacebuilding, do many Colombian CSOs receive private sector support. While official development aid to Colombia increased sharply since 1999, most of it went not to civil society but to government efforts to fight drug-trafficking guerrillas and eradicate crops.

Lastly, in countries like Argentina, Brazil and Mexico CSO funding is more mixed. In the latter, CSOs have long acquired experience in collaborating with the state, while maintaining ties with several corporate foundations both foreign and domestic. In Brazil, a majority of CSOs have access to some sort of government funds, either at the local, state or federal level; however, government funding is not prevalent, and members' contributions are the main resource for a sizeable number of CSOs, while corporate funding is also relevant and growing, fueled by several recently established foundations. Still, donations to third parties (including CSOs) appear to be a key investment strategy for just a small minority of Brazilian private foundations and companies.

The consolidation of these funding patterns has carried consequences in terms of internal civil society role differentiation, fragmentation and CSO lifespan and rotation; differential impact on organizations focused on advocacy and service delivery; and the potential erosion of CSO autonomy and advocacy capacity.

## **Policymaking and advocacy networks**

In principle, participation of NGOs in public policymaking can take place at all stages of the policy cycle. In the diagnosis phase, NGOs equipped with expert and on-the-ground knowledge help identify needs and design solutions; in the programming phase, they contribute to prioritizing needs to address; in the implementation phase, they manage projects, carry out activities and provide services; and in the evaluation phase, they assess the efficiency, efficacy and transparency of resource use, and measure results and impacts. At each stage, levels of involvement range from information to control, through consultation, decision, delegation and association (Canto Chac 2008).

In practice, the bulk of NGO participation in the region takes place through state-sponsored mechanisms, and secondarily through the work of advocacy networks and social movements (Monje & Urzúa 2005). Within those mechanisms, NGO participation in the policy process is more prevalent in the implementation phase than in the design and monitoring/evaluation phases; as a result, it typically takes the form of “collaboration” rather than “influence” (Cunill Grau 1995; Roitner 2004; Rofman 2007; Arcidiácono 2011). In fact, as noted by Rofman (2007), it has become common for social program implementation to decentralize and include civil society actors, while policymaking and funding decisions tend to stay centralized and in state hands.

In a context of increasingly scarce funding for advocacy, a majority of resource-hungry NGOs throughout the region are increasingly engaging in competition for public contracts to implement government programs or projects, most of which continue to be designed with little or no civil society participation. The empirical study conducted by Rofman (2007) in

the Buenos Aires metro area showed that most social programs do not involve civil society actors; among those that do, most involve participation by individual beneficiaries; only in a minority of cases are CSOs involved, and these only play a role in the implementation phase. In turn, the impact of these interventions is usually difficult to assess given the lack of systematic periodic evaluations based on measurable performance indicators (Ferrer Monje & Urzúa 2005).

Beyond service delivery, however, advocacy NGOs and other CSOs that produce knowledge feeding into public decision-making tend to perceive their own influence on policymaking as being greater than acknowledged by much of the literature, as well as spread more widely along the policy cycle (Smulovitz & Urribarri 2008).

Since the 1990s, civil society advocacy agendas have evolved in tune with global trends. Coalitions, alliances, national federations and thematic networks of NGOs formed in every country in the region around the rights of children, women, sexual minorities, migrants and indigenous peoples, among others. New generations of human rights movements aimed at granting full personhood and citizenship to specific groups that had suffered systemic discrimination and/or exclusion consolidated and articulated their claims in the very same human rights language learned in the course of anti-authoritarian struggles. Women's rights, and specifically sexual and reproductive rights and gender-based violence, came to be placed among the top items on the human rights agenda from the 2000s onwards. Gender networks were particularly effective in shaping gender mainstreaming and other gender equality public policies. LGBTTI rights networks scored major victories with the recognition of same-sex marriage, through either legislative votes or judicial rulings, in Argentina (2010), Brazil and Uruguay (2013), Colombia (2016), Costa Rica (2018) and 12 Mexican states plus Mexico City. In 2012, Argentina also passed one of the most progressive gender identity laws in the world (Pousadela 2013).

NGOs and NGO coalitions, both domestic and transnational, formed around countless issues, including election monitoring, democratization and the promotion of an enabling environment for civil society, peacebuilding, migration, racism, local and rural development, food security, debt, equitable trade, free trade agreements, poverty and exclusion, climate change, cultural diversity, community participation, international cooperation, access to information, communications policies, drug trafficking, crime and insecurity. As elsewhere, advocacy networks have resorted to varied repertoires of actions: signature collection campaigns to get decisions revoked, public statements, press releases, mobilization, creative protest, support for affected communities, networking, norm creation and promotion, monitoring of treaty implementation, denunciation of noncompliance, and interaction with regional and universal human rights mechanisms.

In several countries, civil society coalitions took part in constitutional processes and pushed for the institutionalization of participation and social control mechanisms either in constitutions or through legislation, including participatory budgeting, policy councils, citizen councils, concertation tables, and other monitoring and accountability mechanisms (Avritzer 2006; Dagnino, Olvera & Panfichi 2006). NGOs and other CSOs subsequently played relevant roles within many of those mechanisms. According to some assessments of participatory budgeting, for instance, while institutional design overall tends to promote a kind of citizen participation that is more consultative than deliberative, participation tends to be more substantial when CSOs play more significant roles (UNICEF 2013; Montecinos 2014).

In post-transitional contexts, NGOs also played prominent roles in the search for truth and justice, leading (notably in Brazil, Colombia, Paraguay and Uruguay) to the establishment of truth and justice commissions (Garretón 2002); later on, a number of NGOs in several countries,

and notably in Argentina, focused on the politics of memory; that is, on the struggles around the meaning of the past (Jelin 2002, 2017).

In Central American countries plagued by gang violence, numerous CSOs increasingly specialized in violence, security and youth issues to try and steer government away from the criminalization of marginal youth. In mid-2002, a number of these CSOs formed a transnational coalition, the Central American Coalition for the Prevention of Youth Violence (CCPVJ) (Álvarez & de la Torre Oropeza 2008).

Around issues such as free trade negotiations, multi-stakeholder coalitions formed in countries across the region, including domestic and international thematic NGOs and NGO networks (including those formed around indigenous and environmental rights), social movements, trade unions, foundations and research centers, academics and journalists opposed to free trade treaties (de la Torre 2005; CEMEFI et al. 2011; Raventós Vorst 2018). Many such coalitions converged in the Hemispheric Social Alliance (HSA), a transnational advocacy network formed in 1997 against the proposed Free Trade Area of the Americas (Saguier 2008). Spanning from Canada to Chile, the HSA led the convening of successive Summits of the Peoples, starting in Santiago de Chile in 1999.<sup>8</sup> Similarly, an advocacy coalition of Latin American CSOs and networks on migrants' rights formed within the framework of the World Social Forum on Migration, a space that evolved out of the World Social Forum.<sup>9</sup>

As extractivism made advances in the region, environmental and indigenous rights have gained prominence on the agenda, and transnational activist networks formed around them. Out of local socio-environmental conflicts caused by the development of extractive projects various transnational indigenous coalitions emerged, including the Andean Coordination of Indigenous Organizations (*Coordinadora Andina de Organizaciones Indígenas*) analyzed by Paz Herrera (2016). Environmental and indigenous rights networks have tended to maintain tenuous relations with governments than other issue-based coalitions, regardless of governments' ideological leaning, as they typically campaigned against profitable infrastructure projects or exploitation agreements. Starting in 2012, NGOs from several countries in the region participated in lengthy and intense negotiations resulting in the Escazú Agreement, also known as "Agreement on Principle 10". Adopted by 24 countries of Latin America and the Caribbean in April 2018 and open for signing since September, the agreement guarantees access to information, participation and access to justice in environmental matters and will be binding for the countries that ratify it.<sup>10</sup>

Many Latin American NGOs have also played prominent roles in promoting the development of a global normative infrastructure, as is the case with the ongoing process to develop a binding treaty on transnational corporations and human rights.<sup>11</sup> Latin American NGOs and social movements have participated in this process through the Treaty Alliance, a global coalition of several hundred CSOs (Martens & Seitz 2016). Latin American human rights NGOs also played a major role in establishing the World Social Forum.

Having themselves been instrumental in the process of developing international regimes, NGOs have consolidated within these as specialized actors. At both the regional and global levels, Latin American NGO networks have routinely converged with social movements in global social forums, starting in 2001 in Porto Alegre, Brazil, as well as in social summits, starting in 2006 in Cochabamba, Bolivia (ALOP 2008). As a result, even though quantitatively small, the advocacy segment of the NGO sector has become increasingly aware of its own importance in creating and maintaining a vital human rights infrastructure and putting into motion available accountability mechanisms, and has begun to gain assertiveness in reclaiming a seat at some tables to which it had not traditionally been invited, including economic forums like the G20,<sup>12</sup> where it has increasingly challenged privileged access by the private sector, concomitant to the exclusion of civil society.

## Preliminary conclusions on the impact and value of Latin American NGOs

The quantification of NGO impact on legislation and policymaking is disputed (Armony 2004; Serbin & Fioramonti 2008). While noting a significant difference between influence during the policy process and influence over outcomes, Risley (2015) concludes from a series of case studies that civil society has sometimes been able to influence policy in the agenda-setting, formulation and adoption phases, mostly thanks to successful framing strategies and alliances. Additionally, numerous authors emphasize NGOs' ability to monitor public policies, at least in specific areas (Delamaza 2009), and document cases of NGOs engaging in successful campaigning and advocacy (Jenkins 2006) on issues such as health and education policy, freedom of information legislation, women's sexual and reproductive rights, LGBTTI rights, citizen participation in urban planning, poverty and children's rights, among others (Díez 2010; Acuña & Vacchieri 2007; Gaventa & McGee 2010; Risley 2015; Pousadela 2013, 2016; González Bombal & Garay n.d.).

Although more research is required to measure the impact of specific NGO campaigns and interventions, it is difficult to overestimate the role of Latin American civil society regarding both development and democracy in the region. On one hand, Latin American NGOs have consistently worked for decades in supplementing insufficient state action in the social domain: this has been key in a region that has nonetheless remained the most unequal in the world. On the other hand, and even in contexts of decreasing funding for advocacy work, Latin American NGOs have not failed at those tasks at which civil society is truly irreplaceable. As imperfect democracies took root in the region, in large part as a result of civil society struggles, Latin American NGOs quickly understood that not even the most democratic of states is sufficiently equipped to control itself, and so NGOs undertook the task of guarding rights and freedoms. In that role, they set out to impose limits and demand explanations, monitor compliance with states' obligations, report rights violations, assist victims and seek reparations. They have done so in contexts that are sometimes very hostile to civil society work: as documented by the CIVICUS Monitor (2017), more than half of people in the Americas live in countries with either obstructed or repressed civic space – that is, where the core freedoms of association, expression and peaceful assembly are severely compromised. The context is particularly hostile for a specific subset of civil society activists and organizations: according to Global Witness (2018), Latin America is the deadliest region in the world for environmental, indigenous and land rights defenders. In 2017, almost 60% of the worldwide murders of these activists were perpetrated in the region, with Brazil leading the body count, followed by Colombia, Mexico, Peru and Honduras.

Even so, NGO work in Latin America is being deployed at all levels, from local to global. And at every level, civil society has discovered the value of coalition work. Collaborative work has come to be seen as an opportunity to pool and maximize resources; exploit complementarities and avoid duplications; increase institutional capacity through reciprocal learning and sharing good practices; extend coverage and reach previously unattended arenas; and reinforce legitimacy through the appearance of wider stakeholder representation, among other benefits.

Thematic and issue-centered advocacy networks have formed at the national, sub-regional and regional levels, and Latin American NGOs participate in various global networks that are active within international forums and institutions, and most notably (but not exclusively) within the United Nations system. At the hemispheric level, transnational advocacy networks are also active within the Organization of American States and its various human rights mechanisms.

Through this work, Latin American NGOs are playing a key role in shaping the regional and global human rights architecture, creating higher standards and holding the powerful accountable, governments and corporations alike.

More research remains to be done on the resourcing and sustainability of NGOs – what resources NGOs need to do their work at every step of their life cycle, where these resources are available, and what NGOs need to do and are doing to get hold of them. Latin American governments are not particularly fond of funding their critics, and it does not look like the trend toward the retreat of international cooperation funding for Latin American advocacy NGOs will reverse anytime soon. In this context, service-providing NGOs will continue to proliferate and compete for state resources to implement government policies, while the field of advocacy NGOs will keep thinning out. The consequences of this shift in the composition of civil society are incalculable. While the distinction is not as rigid as it may sound, as many advocacy NGOs also provide invaluable services to populations, and both types of NGOs have done great work aimed at fostering democracy and development in the region, it is still true that some NGO functions can in principle be performed by other actors, public and private, and others simply cannot. A functioning state *can* and *should* provide basic public goods – civil society is not irreplaceable in this realm. However, nobody can replace civil society in its watchdog role. Historically, absolutist states became liberal ones as they recognized a power outside themselves – that of civil society – and accepted that its existence, and the rights that it upheld, constituted limits to the exercise of state power. It is therefore the dynamics of advocacy NGOs, and particularly of those placed at the forefront of contemporary struggles for rights in the region, that our attention – and that of funders – needs to turn to for the foreseeable future.

## Notes

- 1 World Bank, *World Development Indicators: Distribution of Income or Consumption*, at <http://wdi.worldbank.org>.
- 2 Cf. <http://csonet.org>.
- 3 Cf. [www.oas.org/en/ser/dia/civil\\_society/registry.shtml](http://www.oas.org/en/ser/dia/civil_society/registry.shtml).
- 4 Cf. [www.oas.org/en/mesecvi/civilsociety.asp](http://www.oas.org/en/mesecvi/civilsociety.asp).
- 5 See Transparency International, *Global Corruption Barometer 2013*, at [www.transparency.org/gcb2013](http://www.transparency.org/gcb2013).
- 6 See Accountable Now, *Global Standard for CSO Accountability*, at <https://accountablenow.org/future-accountability/global-standard>; and *Rendir Cuentas*, [www.rendircuentas.org](http://www.rendircuentas.org).
- 7 See <http://datos.bancomundial.org>.
- 8 See [www.asc-hsa.org/node/10](http://www.asc-hsa.org/node/10).
- 9 See <http://fsmm2018.org/posicionamiento-de-organizaciones-y-redes-de-sociedad-civil-de-latinoamerica-en-el-marco-del-foro-mundial-sobre-migracion-y-desarrollo-2017>.
- 10 See [www.cepal.org/en/subsidiary-bodies/regional-agreement-access-information-public-participation-and-justice](http://www.cepal.org/en/subsidiary-bodies/regional-agreement-access-information-public-participation-and-justice).
- 11 See [www.business-humanrights.org/en/binding-treaty](http://www.business-humanrights.org/en/binding-treaty).
- 12 See <https://civil-20.org/about-c20>.

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# Civil societies and NGOs in the Middle East and North Africa

## The cases of Egypt and Tunisia<sup>1</sup>

*Sarah Ben Néfissa*

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For a long time, political and social science academics have wondered whether civil societies existed in Arab countries, mainly because of the longevity of authoritarianism and the characteristics of the States' founding pacts in this region (Droz-Vincent 2004). Indeed, all over the Arab world, authoritarianism has been embodied in a social State, which puts redistribution and equity as one of its main legitimacy sources, be it in monarchies or in republics (Kienle and Louër 2013). Social rights have been put at the core of the pacts between States and societies. Restricted political and public freedom seemed to be the price to pay for the State's interventionism on the social level. The fact that political opposition was mainly dominated by Islamist parties has consolidated this perception. The latter have conquered large sectors of benevolent organizations within so-called civil society and sometimes within the middle-class labor unions, as in Egypt.

However, advocacy NGOs – that were in a logic of change rather than assistance, especially regarding human rights – were led by leftist militants and not by Islamists (Ben Néfissa 2000). They were the ones who contributed, during the 1990s and 2000s, to the recovery of the expression “*mujtamaa madani*” – meaning “civil society” – by the societies of the region to turn it into an active body of change in large parts of the Arab societies (Ben Néfissa 2013). The “Arab Spring” was the sign of a crisis of these founding pacts in the region, mainly because of neoliberal policies. It also showed the mutations within the public sphere of those countries seen in the impact of social movements, the mobilization of civil society and the ending of the monopolization of the media space. This phenomenon affected all the countries of the region (Morocco, Algeria, Yemen, Syria, Bahrain, etc.). However, the quest for democracy, freedom and social justice revealed by the “Arab Spring” took place in an extremely unfavorable regional context, unlike in other parts of the world. The main regional actors have favored the Islamist political powers, the Muslim Brotherhood and/or salafists. The latter have pursued their struggle to depoliticize freedom struggles within the Arab world and to turn them into identity issues against “otherness”, be it the West, Christian or atheist, the Shia neighbor, the Copt, or even a citizen who is not Muslim enough because he still lives in the *jahiliyya* (pre-Islamic ignorance). Moreover, authoritarian regimes in the region have been fundamental accomplices in this de-politicization process, which has transformed social and political

demands into identity struggles. Apart from the noticeable exception of Tunisia, which seems to have succeeded in its democratic transition, the other countries from the area are experiencing nationalist and populist reactions, especially in Egypt, whereas other states have collapsed, giving birth to armed conflicts and civil wars between communities, religions and various militias. Political language has been replaced by violence and communitarian, sectarian, tribal or ethnic discourses. This language and political identity crisis has common points with the ideological crisis on a worldwide scale, mainly because of globalization, neoliberalism and the general “political representation” crisis even though it has important differences, primarily on account of the region’s own internal specificities. To this extent, the analysis of the civil societies from the two Arab countries which started the Arab Spring – Tunisia and Egypt – and later had different journeys is extremely significant.

Egyptian civil society is currently experiencing the backlash of a strenuous political transition and its involvement in a merciless fight against post-Moubarak-era political actors. Some even talk about the “disappearance” of Egyptian civil society because it cannot counterbalance the securitarian policy currently undertaken by the new regime. Tunisian civil society seems in a much better shape even if it really emerged only after the 2011 revolution with freedom of expression and publishing, and the right to organize demonstrations. The aim of this chapter is to analyze the specific configurations of the civil societies of these countries which launched “the Arab Spring”. They are marked by significant political breakdown as well as important political splits, Islamists/non-Islamists, which feature across Middle Eastern societies. Where Egypt has chosen the repressive path against the Egyptian Muslim Brotherhood, branded as a “terrorist organization”, Tunisia has chosen a “historic compromise” which is a middle path. The difference between those two political paths has major impacts on civil societies. In Egypt, civil society organizations (NGOs, trade unions and associations) are under control and social and political protest are continuously diminishing. It is noticeable that the powerful Egyptian media system has become its enemy after having been its main ally before the 25 January 2011 revolution. This is not the case in Tunisia. However, two years after the parliamentary and presidential elections in 2014, Tunisian civil society seems destabilized by the consequences of the complex political formula which resulted from them. The agreement between yesterday’s enemies, Nida Tunes and Ennahdha, looks more like a personalized alliance than a real strategic and institutional link that both parties can live with. It is feeding a trust crisis throughout the Tunisian political class and mostly it is weakening the state and blocking the economic and social reforms that the country needs, as shown by the pursuit of demonstrations in the streets. And if civil society needs a democratic state in order to flourish, it also needs a strong state representative to communicate with.

### **Egyptian civil society and the renewal of authoritarianism in the name of the war on Islamic terror**

In Egypt, all of the political actors of the 25 January revolution, all across the political spectrum, are paying the price for the chaotic political transition. If the Muslim Brotherhood have fallen in their own trap (Ben Néfissa 2015b), non-Islamist political elites and revolutionary youth groups are currently paying the price for the “abnormal” 30 June coalition that they undertook with the political, administrative and military forces and the old regime, in order to get rid of the Muslim Brotherhood (Ben Néfissa 2015c). The same can be said about civil society. It is currently experiencing the backlash against its enrolment (intentional or forced) in the political game after the 25 January revolution and 3 July 2013.

This has not always been the case. From 2004, Egypt witnessed a series of social and political protests that – to some extent – foreshadowed the 25 January 2011 revolution. The phenomenon was supported by a myriad of NGOs and diverse groups but also by a process of de-monopolization of the media sphere, including independent media, political talk shows on satellite television channels and social media. Also, between Mubarak's ousting on 11 February 2011 and 30 June 2013, Tahrir Square was nearly always full (Rougier and Lacroix 2015). This state of political fluidity halted on 3 July 2013 when the coup d'état took place against the first president elected by universal suffrage, Mohamed Morsi, a member of the Egyptian Muslim Brotherhood. The media became the herald of a new authoritarianism and of an exacerbated nationalism, all in the name of the war against "Islamic terrorism". Any other voice of dissent could therefore not be heard. Civil society organizations and more specifically human rights NGOs were divided by a political schism after 3 July. The same could be said regarding trade unions. NGOs who wanted to maintain a certain degree of independence were put under great scrutiny from the security apparatus. Social and political protest still had a voice, but it became more and more difficult to express it. There was a clear decline in protests because they took place in a context of tight scrutiny from the security apparatus and public opinion that regarded them negatively. Therefore, it is surprising that those who lost the most in the aftermath of 3 July are the ones who still protest: mainly the political base of the Muslim Brotherhood and some parts of the revolutionary youth. And yet, they rapidly realize that there's an ultimate red line newly drawn by the new regime: taking to the streets has become forbidden.

### ***Political protests and the streets' outlawry***

Apart from the brutal dispersal of the two Muslim Brotherhood sit-ins during the summer of 2013, the new securitarian policy of the regime has been embodied by the necessity to obtain authorization for any protest or demonstration. This has challenged the main achievement of 25 January, the conquest of "the streets" as a means of social and political expression. Some sectors of the young revolutionary activists wanted to defy the new law by organizing an unauthorized demonstration. This resulted in them being sent to prison. A complaint was filed against this law.<sup>2</sup> On 3 December 2016 the High Constitutional Court maintained the obligation to inform the public authorities before organizing a demonstration. However, it declared that the decision of authorizing or forbidding a demonstration should be made by the judiciary and not the executive.

A 2014 report,<sup>3</sup> dedicated to human rights in Egypt, counted 1,515 demonstrations during this year: 821 were conducted by the Muslim Brotherhood, 307 were organized by student movements, 287 were linked to social and work issues, and about a hundred were staged by far-left movements and non-Islamist revolutionary movements.<sup>4</sup>

Social protests are less harshly reprimanded than political ones and police forces mainly attack demonstrations in major cities that may lead to the occupation of major squares or roundabouts. It is not surprising, therefore, that this led those who still organize demonstrations – mainly the Muslim Brotherhood – to choose small streets of medium cities or villages to march in, in order to avoid the arrest of their members, usually at night. Also, these are mostly short demonstrations, to avoid the arrest of their members. The new Egyptian regime has developed a fear that Tahrir Square could once again be full. This seems unlikely, though, and it would be unwise to think that it is solely due to the new securitarian tightening. Social movements are operating in an environment where public opinion is tired of the social and political unrest that ensured the 25 January revolution. Also, the major upheavals that other countries in the region, especially Libya, Yemen and Syria, have gone through have fed the perceived need for order and stability

as expressed by the election, in 2014, of a president from the armed forces. This demand for order and stability is also a construct of the Egyptian media which has undergone considerable changes. From an ally of political and social protests, it has become a foe (Ben Néfissa 2014).

### ***Media and social movements: the end of an era***

The Egyptian “media confluence” (Tourya 2012) has considerable fire power. It is no exaggeration to say that the media actors made a fundamental contribution to the liberalization of the Egyptian public space, long before the 25 January 2011 revolution (Benaziz 2015). Likewise, they were crucial in the fall of the Muslim Brotherhood. The Muslim Brotherhood does not have a significant presence in this area which is, historically, a ground for leftists, Nasserists and so-called liberal or civil forces. But, since 3 July 2013, the Egyptian media space has been marked by the return of journalists close to Moubarak’s old regime and the voice of journalists and intellectuals of the 25 January revolution is less and less audible. Today, media actors have become the heralds of an exacerbated nationalism and of a “fully securitarian” discourse in the name of the war against “Islamic” terrorism and foreign powers’ interference, be it the United States, Qatar or Turkey. This new media configuration has been constructed thanks to a set of repressive administrative tools and laws: blocking independent or critical news outlets on the internet, the creation of a Superior Council for media Regulation, businessmen close to the regime and to the security apparatus allowed to set up television channels, forbidding the remaining critical television shows, etc. Even the journalists’ union, whose autonomy has always been more or less respected, has been under scrutiny from the security apparatus. It had been raided by police forces in order to arrest two journalists who went to seek refuge inside its headquarters following the protests against the transfer of Tiran and Sanafir islands by the Egyptian government to Saudi Arabia. The penultimate president of the union, Yehia Qallach, was replaced during the last elections by someone close to the regime. It is therefore not surprising to see Egypt ranked 161 in the 2017 world freedom of the press ranking, which measures the degree of freedom journalists have in around 180 countries.

### ***Civil society organizations under control***

If Islamic charities linked to the Muslim Brotherhood are undergoing a complete dismantlement by the security apparatus and the ministry of social affairs, other NGOs, in particular human rights NGOs, are undergoing a wave of domestication.

For a long time, the political and social impact of human rights collectives in Egypt was not very perceptible, at least internally. But the few years preceding the 25 January revolution showed that their role was reinvigorated, as proven by their continuous growth in numbers despite very restrictive legislation against them. This multiplication resulted in an enlargement and a specialization of the themes tackled: workers’ rights, victims of torture rights, judicial support in human rights matters, unions’ support, farmers’ rights, social and economic rights, prisoners’ defense, pensions’ rights, justice independence, personal rights, defense of social security, the right to a habitat, elections’ control, etc. These groups called out the government by their actions and by publishing studies, specific reports on their websites or in articles published in newspapers. Lawyers contested, in courts, several judgments taken by administrative courts. The most significant example of their efficiency is how civil society got organized for workers’ and unions’ rights. Indeed, the Centre for Trade Union Workers Service had an important role in supporting workers in one of the most important industrial groups in the country and thus got around the absence of real autonomous trade unions.

One of the main resources used by these collectives led by “rooted cosmopolitans” (Tarrow 2007) was the call to international public opinion. But, nowadays, the call to international public opinion is not legitimate anymore in Egypt because of the development of an exacerbated nationalism, mainly orchestrated by the media, but not exclusively. The inability to make international public opinion accept the 3 July coup has favored the social impact of the media hammering against foreigners and foreign interference. It is in this context that the domestication of human rights NGOs has to be comprehended. Some of them have decided to close; others to delocalize their activities. The old legislation (Ben Néfissa and Clément 2007) on associations had been applied in a relatively gentle and mild manner during the years preceding the revolution. The majority of NGOs were registered as civil and non-commercial partnerships or law firms in order to escape the restrictive legislation. The Moubarak regime closed their eyes to such legal tricks. It is not the case nowadays. A new law on associations and NGOs was voted in by parliament in May 2017. The text limits NGOs’ activities to the strict perimeter of development and social issues and any infringements could cost up to a five-year prison sentence. NGOs cannot undertake any fieldwork or polls without the prerequisite authorizations and cannot “cooperate in any possible way with international organizations without a prerequisite agreement”. The text mentions the creation of a “National Authority” including members of the security services, intelligence services and the army in order to manage any issues related to foreign funding or the activities of foreign organizations based in Egypt.

The current difficult political transition and the securitarian policy have also made life difficult for the labor movement. One of the main demands of the 25 January revolution was the right to found independent labor unions. The demand appeared in 2007 and it aimed to counterbalance the Egyptian labor federation – under control of the Egyptian State and administration – which was not representative enough of the labor movement. The legalization project was reactivated just after the revolution but it was blocked by the old army administration as well as by the Muslim Brotherhood. It was not activated even when the leader of independent unions, M. Kamel Abou Eita, became labor minister in M. Hazem El Bibloui’s government. Therefore, political disruption also divided the leaders and the labor movement.<sup>5</sup> In November 2017, a law project was presented to the parliament with the aim to legalize the independent labor unions which was created *de facto* after the revolution. This law project, in fact, imposes on them a minimum of affiliations to be legalized. It actually institutionalizes the Egyptian labor federation, under government control, as the only recognized labor union in the country. The text forbids independent labor unions to any foreign aid and restricts financial autonomy. It imposes restrictive elective criteria for executive committees. Therefore it is not surprising that the current drastic economic and social reforms taken by the new regime, with noticeably the devaluation of the Egyptian pound and the new pricing policy, have not led to any major social or political protests.

President Sissi prepared himself for a second term in 2018 while his popularity plunged not only because of the economic and social reforms aforementioned but also because of his failings in the security area and in the war against terror. But it is also clear that his popularity has suffered from his securitarian agenda and the tight control on civil society.

### **Civil society and the “historic compromise” issue in Tunisia**

The different parts of the Tunisian civil society are considered – quite rightly – as the main actors of the political pacification in the country and the resulting successive compromises. But when analyzing the Tunisian situation, it is also important to include the regional factor. The 3 July coup *d’état* in Egypt which unseated the Muslim Brotherhood’s Mohamed



Morsi considerably modified the power balance in Tunisia. In some ways, it pushed Ennahdha's Islamists to make a compromise during the period in which the post-Ben Ali Tunisia endured its most important crisis, during the summer of 2013. This crisis had two main aspects: (i) the second assassination of an MP of the constituent assembly, Mohamed Brahimi, an opponent of political Islam;<sup>6</sup> and (ii) the fact that the constituent assembly took nearly three years to write the constitution instead of one year. Responding to the call of MPs who were not members of the Troïka,<sup>7</sup> a long sit-in was organized at "Le Bardo Square" in Tunis. Indeed, it is the quartet formed by the General Union of Tunisian Workers (UGTT), the Tunisian Union for Industry, crafts and commerce (UTICA), the lawyers guild and the Human Rights League (LDH) that played a go-between role between the two political parties. This enabled the nomination of a technocratic government and the acceleration of the constitution's drafting (Ben Néfissa and Ferjani 2013). The same thing could be said when Youssef Chahed's government was formed in 2016, which followed Hamadi Essid's government, composed after the presidential and legislative elections in 2014 and 2015. This government gained legitimacy from the Carthage accord signed by political parties and also by UTICA and UGTT.

### ***Tunisian civil society and political transition***

The positive role of the quartet – which earned a Nobel Prize – reflects the role of civil society since Ben Ali's ousting in January 2011. Long before the ANC's election, the "High Authority for the realization of the objectives of the revolution, political reforms and democratic transition"<sup>8</sup> had adopted a series of reforms that have paved the legal and political path toward the flourishing of a Tunisian civil society. The main reforms were: laws to liberalize associations and political parties, new press laws, new authority to organize elections (ISIE), a new electoral law adopting proportional votes, and insuring parity between men and women, as well as representation of diverse parts of the country.

This "power of the civil society" took form rapidly with the creation of a myriad of NGOs and collectives which benefited from the new liberal legislative framework.<sup>9</sup> They regrouped in various activities at the local level (Tainturier 2017) as well as on the national stage. Multiple actors engaged in the voluntary sector. Ennahdha's Islamists rapidly engaged in social work and charities in order to develop their electorate. The other actors of the spectrum engaged in "advocacy" in order to monitor the political transition process but also to keep an eye on the Islamic political actors within the process. While the latter benefited from Qatari and Turkish funds, the others were backed by European and international actors who were interested in the democratic transition in Tunisia. Two NGOs were particularly active in the political and electoral fields: El Bawsala<sup>10</sup> which was in charge of monitoring and controlling the activities of MPs of the NAC and currently the parliament; and the Tunisian association for the integrity of democracy and elections (ATIDE)<sup>11</sup> which monitored the transparency of the electoral process. In the justice field, the Tunisian watchdog for the independence of the judicial authorities<sup>12</sup> engaged in a struggle for a real separation of powers and to counter the interference of the executive in nominating and revoking judges, etc. These examples are far from being unique and the reality is that the international agenda on good governance was internalized by Tunisian elites.

One of the major issues – at the heart of the activities of a part of the Tunisian civil society – was to monitor the drafting of a new constitution. This task was handed to the NAC that was dominated by Ennahdha's Islamists. The main purpose was to avoid the latter introducing articles that could hinder personal and individual rights in the name of Islam but mostly that would harm the legal gains for Tunisian women. That's why a network of NGOs was created, like "Lam el-Chaml" and Doustourna or "Hraier Tunes" (free, independent women), created

on 13 August 2013, on women's day. The new Tunisian constitution does not mention Islamic law. This demonstrates the results of the compromise between the various political actors after the 14 January 2011 revolution. It could be said that the current Tunisian constitution is the result of the work of the ANC MPs, as much as the result of the dialogue that took place between the latter and "the street" and the civil society, especially the UGTT (Yousfi 2015) with its 750,000 members. Quite simply, it is Tunisia's largest civil society organization capable of using its clout when negotiating. Even if the national hierarchy was linked to Ben Ali, it is local structures, mainly the ones in universities, that regained legitimacy when they supported the insurrection between 17 December 2010 and 14 January 2011. Ennahdha's numerous attempts to harm it all failed.<sup>13</sup> The strikes organized by the UGTT all over the country had a tremendous effect during the political crisis aforementioned.

### ***The compromise's stake from the 2014 elections***

Two years after the parliamentary and presidential elections in 2014, Tunisian civil society looked in a worse shape than before, noticeably because of the top alliance between yesterday's enemies, Ennahdha and Nida Tunes. While Nida Tunes won the majority at the parliament and its founder was elected President of the Republic on an anti-Ennahdha agenda, a tactical alliance<sup>14</sup> was arranged at the top of the State between the founder of this party, Béji Caïd el-Sebsi and the founder of the Ennahdha Party, Rached Ghannouchi. However, this "historic compromise" looked more like a personal alliance than a real and strategic one that both parties were comfortable to live with. It actually fed a confidence crisis with the political class in general. It also fed a general disappointment with the revolution's impacts on social issues such as unemployment, territorial inequalities and improving living standards. Some did not hesitate to talk about an authoritarian restoration<sup>15</sup> and of Ben Ali's old regime reformulated by economic elites linked with Nida Tunes and Ennahdha.

This historical Tunisian compromise – which the whole world has hailed – had some political ulterior motives from both political formations. First of all, it relied on an agreement between both leaders to counter the rise of terrorist activities in the country<sup>16</sup> and to ensure political stability. The development of terrorist activities in Mont Chambi, the terrorist attacks in Bardo in the heart of Tunis and those of Sousse in 2015 caused a tight securitarian agenda symbolized by the declaration of a state of emergency and a new law against terrorism (approved by a vast majority of the People's Assembly) and against money laundering,<sup>17</sup> which was criticized by some human rights organizations. In order to counter the development of terrorist activities linked with salafi jihad, a tight control on illegal mosques was made. Even if this<sup>18</sup> is faced with some resistance from Ennahdha's political base, it actually fits with Ennahdha's new "low-profile" strategy, and the long-term conquest of the Tunisian society via cultural and ideological means, mainly in the associations, schools and in the media. The grassroots conquest of the labor movement (UTAP, UGTT and UTICA) in order to enlarge its economic and political base was the second phase of this policy. It is worth mentioning that during its congress in 2017, Ennahdha declared that from then on, there would be a separation between politics and religion. Also, the fact that some ministries were managed by Ennahdha members shows that the Party wished to become a real governing party.

### ***Civil society between political actors and social movements***

This alliance at the top of the State between yesterday's enemies is not really contradictory because a political struggle still takes place within civil society via the non-profit

organizations (Tainturier 2017), the media and the labor organizations. If freedom of expression and publishing has been the main conquest of post-revolution Tunisia, the media sector is now witnessing a profound crisis because of its instrumentation by political actors during the transitional period as well as by economic and financial actors. The regulatory authority of the Media, the High Independent Authority for Audiovisual Communication (HAICA), does not seem to command consensus, its views are not respected and it is currently experiencing very strong internal dissent.

The same could be said about the “Truth and Dignity”<sup>19</sup> committee presided over by Sihem Ben Sedrine. It was supposed to establish the responsibilities regarding the Ben Ali regime’s exactions, but the organization witnessed internal political rifts. In addition to the fact that several of its members quit, it was also challenged by the law on economic reconciliation which was voted through to establish an ad-hoc reconciliation committee with most of its members nominated by the government: a direct challenge to the “Truth and Dignity” committee.

Freedom of association is one of the biggest gains of the Tunisian revolution and it is even possible to talk about an “associative boom”. The 2017 associations’ directory listed 20,954 associations.<sup>20</sup> A substantial portion of those (4,585) is dedicated to schools, followed by cultural associations (3,937), then sports (2,305), followed by development (2,134). A majority of the associations are linked with Ennahdha which engages in charities around the family and in koranic schools which are direct competitors to the ones under the ministry of religious affairs. The need to oversee those associations’ funding<sup>21</sup> has been highlighted by the ex-minister in charge of relations with institutional bodies and civil society.<sup>22</sup> He denounced “fake charities” and emphasised the juridical vacuum regarding foreign funding of associations and the difficulty for the State to oversee this.

In addition to the control of the charities in Tunisia, labor unions and employers’ organizations are also at stake when it comes to political struggles. For example, the Tunisian Union for Agriculture and Fishing (UTAP) has quickly fallen under Ennahdha’s influence. It is an organization that’s not really representative of small farmers. However, it defends the interests of 516,000 large farms and fishing corporations that represent its core membership thanks to bank loans and State subsidies. This has not been the case for UGTT and UTICA and the renewal of its political direction shows the new political balances within those organizations.

But, even more important than the political struggles, civil society seems overwhelmed by social phenomena which harm its mediating role between civil lobbies and political power: mainly the growth of the informal economic sector and smuggling as well as the development of radical and dissident social movements. Social movements never really stopped during the first transitional period because social issues were the main detonator of the Tunisian revolution. They persisted during the first part of the transitional period and gained momentum after the 2014 elections. Nearly every economic sector in the country is concerned. To this extent, the long social conflict in the mining region of Gafsa is significant. Unemployed workers blocked the production of phosphate inside factories of the Gafsa Phosphate Company (CPG).<sup>23</sup> This led, among other things, to the stoppage of production within the Tunisian chemical phosphate transformation group situated in Gabès. If eventually the extraction of phosphate resumed, CPG has to be in cessation of payment so that the administrative workforce start working again. Unemployment and work conditions are not the only causes of social movements<sup>24</sup> in Tunisia. Access to potable water has also become an important issue. But more surprising is the outbreak of some violent social movements in the south of Tunisia that provoke police forces to leave the area, like in Fawar in May 2015; also, the “where’s the gas?” campaign, which was pioneered by leaders of the League for Protection of the Revolution

and which was quite violent. Entire regions such as Ben Guerdane, Medenine, Sidi Bouzid, Meknassy, Gafsa, and Kasserine have all revolted against their “economically abandoned” status. A tendency toward insurgency has appeared, often manipulated by local mafias linked to trafficking. It puts face to face the State and citizens who have nothing to lose except misery and contempt toward them, and they have been facing that for decades. In most of the other disenfranchised regions, the situation is explosive because the demands of work and dignity have not been met yet.

The management of these conflicts is far beyond the capacity of the powerful UGTT which can manage to only partially control social movements in the public sector. UGTT is torn between its desire to stay close to its base and on the other hand to maintain its role of arbitrage in social and political life. Thus, it has been facing critics regarding its growing politization and “a class consensus” concluded with political forces, against the interests of workers. Some parts of the base, controlled by leftist movements such as the Popular Front, want UGTT to defend workers even more. For the business circles, on the contrary, UGTT is considered as a hindrance to economic growth because of its support for bureaucracy. It is true that UGTT is strongly opposed to any ideas of budget cuts or privatizations whereas salaries in the public sector represent 14% of the GDP which is among the highest percentage worldwide.

Other strong points of the Tunisian civil society that should be highlighted are the struggle against corruption, the role of the media and of lawyers. This is what pushed Youssef Chahed’s government to react, with the arrest of several corrupt businessmen in May 2017, but more importantly, with the creation of a National Institution Against Corruption presided over by Chawki Tabib, an ex-lawyer.<sup>25</sup> However, and paradoxically, his report has fed the loss of confidence of the population toward political and administrative authorities, and generally speaking, toward the Tunisian democratic process.

## Conclusion

The regional situation, especially in Libya, Syria and Yemen, as well as the rise of ISIS, have been unfavorable to the two countries which initiated the “Arab Spring”. It seems obvious that the current state of civil society and democracy in Tunisia is much better than in Egypt. For Tunisia, one of the main obstacles to democratic consolidation is the weakening of the State institutions while civil society has gained more freedom. This country has had access to representative democracy right in the middle of its crisis (Rosanvallon 2000). However, both societies urge for the freedom and democracy demands that were expressed in 2011 as well as for the need for a social State that mends social inequalities. Yet such demands are hard to reconcile with globalization that questions the State’s intervention in the economy and stresses the State’s impotence in managing the economy within its own borders. In addition to numerous citizen initiatives, Tunisia has experienced a “cultural” revolution within the artistic scene thanks to new productions emerging in theatre, music, cinema, etc. The new found academic freedom has also contributed to the rise of a new generation of social and political science researchers. This cultural revolution is driven by a new generation of Tunisians who do not hesitate to question Tunisia’s most persistent social and religious taboos. Egypt also witnesses a similar will to question religious taboos and traditional religious institutions. The phenomenon seems to be a regional one. A grassroots secularization movement seems to have taken over from the “authoritarian secularism” practiced by some Arab regimes. The latter is resulting from the concern of certain citizens with the different religious actors’ behavior, be it “moderate” Islamist or jihadi. The “Arab Spring” showed an authority crisis in all its many aspects, including in the religious field. ISIS’ behavior encouraged an “exit” process from religion: fewer people practicing on a daily basis, fewer women wearing the veil in some

neighborhoods, freeing of discourse including a tendency to break Islam's most persistent taboos, and the rise of people declaring themselves atheists or converting to Christianity.

## Notes

- 1 Ben Néfissa 2015a.
- 2 Le Centre égyptien des droits sociaux et économiques et le Centre de soutien à l'Etat de droit.
- 3 Arab Network for Human Rights: [www.anhri.net](http://www.anhri.net).
- 4 Ex 6 April movement, the revolutionary socialists, Dostour Party youth and youth linked to presidential candidate Hamdeen Sabahi.
- 5 Fatima Ramadan and Amr Adly, *Low-Cost Authoritarianism: The Egyptian Regime and Labor Movement Since 2013*, <http://carnegieendowment.org/2015/09/17/low-cost-authoritarianism-egyptian-regime-and-labor-movement-since-2013>.
- 6 The second assassination after Chokry Belaïd who was also a member of Popular Front, a left-wing party.
- 7 The Troïka was composed mainly by Ennahdha, and two other political formations: Ettakatol and The Congress for the Republic.
- 8 An institution formed by representatives from all around the political spectrum and presided over by the renowned Tunisian lawyer, Yadh Ben Achour.
- 9 décret-loi no. 88 du 24 novembre 2011.
- 10 [www.albawsala.com](http://www.albawsala.com).
- 11 [www.atide.org](http://www.atide.org).
- 12 [www.webdo.tn/tag/observatoire-tunisien-de-lindependance-de-la-magistrature](http://www.webdo.tn/tag/observatoire-tunisien-de-lindependance-de-la-magistrature).
- 13 Attacks against UGTT were numerous and varied: encouraging new labor organizations but mainly unsuccessful attempts to intimidate UGTT managers. The high point was the attempt to storm the UGTT Headquarters by the Revolution Defense Leagues on 4 December 2012.
- 14 Nida Tunes won the elections but did not have the absolute majority at the assembly. The new constitution requires a parliamentary regime and the left-wing parties represented at the assembly refused to form an alliance with Nida Tunes. The alliance with Ennahdha was the result of this situation which was worsened by divisions within Nida Tunes. At the time of writing, Ennahdha held the majority.
- 15 Stemming Tunisia's Authoritarian Drift Crisis Group Middle East and North Africa Report No. 180, 11 January 2018.
- 16 Tunisia: violences et défi salafiste, Rapport Moyen-Orient/Afrique du Nord No. 137, 13 février 2013.
- 17 Critics of this text regret that capital punishment is required for a series of crimes whereas Tunisia has not had any death penalty executions since 1991. They also condemn too much discretionary power given to police forces such as keeping a suspect for as long as 15 days without giving him the right to see a lawyer, or the simplified use of wiretaps. Human rights' defenders think that the term "terrorist" is too vague and that it could lead to libticial drift.
- 18 The ban of a salafist meeting in May 2013 in Kairouan marked the break-up between Ennahdha and the salafists, mainly with Ansar-al-Charia, which has since been labeled as a terrorist movement.
- 19 Created at the end of 2011 in order to shed light on the multiple human rights violations during the last decades, IVD also has a mission to rehabilitate the victims and compensate them. The investigation went from July 1955 to the end of 2013.
- 20 [www.ifeda.org/tn/stats/francais.pdf](http://www.ifeda.org/tn/stats/francais.pdf).
- 21 [http://fr.slideshare.net/jamaity\\_tn/la-socitciviledansunetunisieenmutation-rapport-pnud](http://fr.slideshare.net/jamaity_tn/la-socitciviledansunetunisieenmutation-rapport-pnud).
- 22 Kamel Jendoubi: Pour un nouveau compromis historique autour de l'Etat, [www.leaders.com.tn/article/17302-kamel-jendoubi](http://www.leaders.com.tn/article/17302-kamel-jendoubi).
- 23 From an economic point of view, the Gafsa mining region, just like tourism, is an important source of revenue.
- 24 Another example of the new force of the Tunisian civil society is the original experience of the defense of the Jemna Oasis Association. Thanks to this association, inhabitants of the oasis managed to capture lands that had been abandoned, legally. They have cultivated the land in order to grow and sell dates. The association has quickly shown significant results regarding employment, acquisition of agricultural equipment, hospital equipment, school management, a new sports hall and a center for handicapped people.
- 25 He published a "Livre Noir" of the corruption where 21% of the complaints are linked to ministries and which gives details of 9,027 corruption cases, among which 958 have been filed by the head of the government, 140 concern public biddings and 1,789 are about financial corruption and economic crimes (50%).

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# NGOs in sub-Saharan Africa

## Potentials, constraints and diverging experiences

*Hans Holmén*

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### Introduction

Since the 1980s, sub-Saharan Africa has seen a veritable boom of NGOs<sup>1</sup> and their numbers are still increasing. In many camps – especially in the West – this has been accompanied by great enthusiasm about their abilities to speed up development and, particularly, to reach the poor and vulnerable groups in society and, hence, to include more people in the development process.<sup>2</sup> NGOs were seen as closer to the grassroots, as more democratic, effective and empowering than state-led projects or bilateral aid programs. With hindsight, it is clear that this enthusiasm was often naïve and founded on assumptions rather than on experience. NGOs were largely unknown at the time and their advantages were merely potential, not yet realized advantages. After more than 30 years of NGO activities, it is still often the case that more is believed than known about NGOs in sub-Saharan Africa.

The reasons are many. The sub-continent is large, diverse and far from static. Vast areas are sparsely populated with widespread poverty. Peripheries are large and, in the aftermath of structural adjustment (with weakened governments, deteriorating transport infrastructure and dismantled extension services) expanding, many smallholders withdraw into self-sufficiency and subsistence production (Hydén 1995; Leysens 2006). At the same time other, more accessible, areas are becoming increasingly integrated with the rest of the world. In these areas labor is becoming more diversified, a new middle class is emerging (Bjerström 2013) and land that used to be ‘communal’ is increasingly being privatized (Holmén 2015). These different environments present quite different challenges and potentials for successful organization-building for development. This is often overlooked in NGO literature. Whereas much writing on NGOs in the sub-continent treats them as one-of-a-kind, the organizational landscape is complex and varied with different environments fostering organizations with quite diverging roots, ambitions and modes of governance (Holmén 2010). Many NGOs do not do development work but direct their activities to relief and charity work, some work with governments, while others oppose them or at least try to stay independent.

While enthusiasm with NGOs as development vehicles remains strong in the West, critiques about their role(s) and performance are increasingly aired from African sources. This is not to deny that NGOs in sub-Saharan Africa sometimes perform well and that success-stories have



been told, but the ‘NGO approach to development’ has proved to be less of a panacea than is often assumed. This chapter aims to highlight differences and to shed light on why accomplishments vary so much. To do this, it is important to highlight the importance of context.

## Civil society in sub-Saharan Africa

NGOs (also called civil society organizations) are often seen as representing ‘civil society’ and believed to fulfill the same role as CSOs in other parts of the world. In the West, it is claimed, society is strong when CSOs are strong, and democracy is strong when civil society is strong. In the West, ‘civil society’ is commonly used to distinguish a third sector in society, separated from the political and the private business sectors (where the former is backed by coercion and the latter aims at utility maximization). Civil society, in contrast, is believed to be based on voluntariness and solidarity (see e.g. Weinberger & Jütting 2001). At the very basic level civil society is made up of individuals and households but mostly the term refers to entities beyond the household, namely organizations. This means a kind of formalization of ‘civil society’, which many NGOs and NGO-advocates have been quick to appropriate, thereby assuming the role as spokesmen for ‘civil society’. However, NGOs do not represent the entire civil society. They represent smaller or larger special-interest groups within civil society. This ‘NGO-ization of civil society’ has implications when NGOs assume the role as change-agents also in Africa.

Civil society in sub-Saharan Africa is often depicted as weak with weak organizations, which has enticed many Western NGOs to conclude that it needs to be strengthened. This, in my opinion, is a gross misunderstanding. Civil society in sub-Saharan Africa is not only stronger than what is often assumed, it is also different from that in the West. Hence, the role(s) and potentials of CSOs ought to be somewhat different. In a Western context, definitions of ‘civil society’ commonly exclude family, kin or clan and preserve ‘civil society’ for groups that go beyond family and bridge or cut across primordial ties (see e.g. Putnam 1993). This makes sense in a society or culture that is centered on the individual. In this sense, ‘civil society’ belongs to modernity. In much of sub-Saharan Africa, where poverty is widespread and other forms of social protection are absent or near-absent, family, kin and clan make up the constituent elements in society. Hydén (1995) calls this the ‘economy of affection’. The economy of affection, says Hydén, centers on support and interaction among structurally defined groups such as kin, community or religion. It is often reciprocal but seldom egalitarian, often involving a relationship with a patron. The economy of affection is pre-modern and often preservationist.

Civil society in sub-Saharan Africa has often been idealized. Pimbert (2004) points out that it rests upon a long tradition of mutual aid and self-help institutions. These (e.g. wealth and risk-sharing mechanisms, labor exchange gangs, seed banks), however, are often latent ‘proto-organizations’ or coping-devices, only to be mobilized in case of need. They have seldom been a trampoline for change. African civil society is also believed to be democratic (Salzer 2003) and socially harmonious (Cracknell 2000). The proverbial: ‘when there is a problem, we (all) sit under a tree and talk until we reach a consensus’ is a perfect illustration. Harmony and democracy are ‘natural’ characteristics because African civil society is ‘soundly rooted in non-materialistic cultural traditions’ (Ebiem 2015). As such it is often held to be superior to modern, capitalistic, modes of association. Such idealizations, however, overlook the inequality, oppressive social hierarchies and discrimination that also exist in real-world civil society. Traditionally, African societies have developed strong institutions militating against individual wealth-seeking and hostility to economic change (Platteau 2000). And the ‘democracy of consensus’ often turns out to be the ‘democracy of the lords and the chiefs’ (Mana 1995: 24).

The ‘economy of affection’ is present everywhere in sub-Saharan Africa but more so in remote than in accessible areas. To the extent that development can be defined as economic growth and structural change, the organizations that it fosters would have limited ability to function as change-agents, and less so in peripheral locations (Holmén 2010). This has implications for NGOs when they come to organize grassroots for development, especially since NGOs sometimes prefer to go ‘beyond the mountain’ to assist those they perceive to be most in need (Practical Action 2005; Bawole & Hossain 2015). Perhaps one should preserve the label NGO for those organizations that aim to transform Africa – often introducing foreign ideas – and use CSO for those who emphasize African values and ways of doing things?

## Different origins of African NGOs

Civil society in sub-Saharan Africa is almost as old as mankind. During colonial rule, the ‘economy of affection’ was to some extent supplemented by groups and charity organizations run and initiated by churches and, later, by liberation and civil rights movements. After the end of World War II, some relief organizations that were originally oriented toward war victims in Europe gradually extended their activities also to Africa. They were mostly engaged in charity work and disaster relief and did not primarily aim for social and economic change. Following independence, their numbers increased somewhat. Also domestic groups and organizations, some of which had been part of the liberation struggle, made claims on the new governments and/or demanded access to public office. They generally had no outspoken development objectives and were often seen with suspicion and/or were co-opted into patronage structures. The economy of affection survived.

The real boost in organization-building came with neoliberalism and the imposed structural adjustment reforms in the 1980s and 1990s. Among other things, the effect was (a) that Africa was opened up for foreign competition and (b) aid was reduced and was now partly bypassing governments instead to be allocated to NGOs. The number of NGOs, both foreign and domestic, grew rapidly, some of them simple fortune hunters. Others were more serious about their ambitions but, lacking experience, they faced problems when trying to shift from relief to development. Some Western NGOs (INGOs) hesitated while others were quick to seize the opportunity.

## Regional experiences

With varying degrees of success CSOs and NGOs (and INGOs) in sub-Saharan Africa engage in a wide range of activities, ranging from education, health-care and child nutrition over water and sanitation projects, micro-credit schemes, natural resource management, agricultural extension and income diversification, to advocacy and lobbying. On a macro scale, the regional effects of this ‘NGO-ization of development’ were far-reaching, at least initially, where West Africa appears to have been quite successful (according to the literature) whereas the experience in eastern and southern Africa was more problematic.

In eastern and southern Africa, rather than being a response to a felt need, this was a forced birth and many NGOs were hastily set up in order to make use of the new opportunities. Many were well intentioned but lacked necessary skills and capacity. Others were ‘bogus-NGOs’ or one-man-NGOs, without progressive ambitions but with the sole purpose to tap into the new financial flows suddenly available. Overall, the NGO sector was weak with little impact and of little avail to the poor. Tales of elite-capture have been common. Also, being part of structural

adjustment (with accompanying ‘government bashing’), they were often, rightly or wrongly, perceived as confrontational. Governments overall looked at NGOs with suspicion and control attempts were commonplace. Some governments set up GONGOs (government-controlled NGOs) in order to maintain control and secure access to changing aid flows. In Zimbabwe, politically linked quasi-NGOs such as the President’s fund, Child Survival (under the patronage of the President’s wife) and the Zimbabwe Development Trust (under the tutelage of Senior Minister Joshua Nkomo) dominated the scene (Muir 1992). A love–hate relation emerged where governments accepted and sometimes appreciated NGOs as service providers filling the gap left by a retreating state but were less appreciative when they tried to influence (or ‘interfere’ in) politics. In Kenya, former President Moi threatened to de-register NGOs since they ‘lacked the mandate to lobby’.

Although there are exceptions (see below), the NGO sector in eastern and southern Africa remains weak, hampered by a lack of resources and often with no true grassroot contacts. Not only has the growth-rate of NGOs been high, so is their death-rate and many are short-lived. In 2008, the Malawi’s Ministry of Agriculture and Food Security database on farmer organizations listed 2,175 organizations. Of these, only 22 (1 percent) were classified as ‘sustainable’, whereas 1,032 were classified as ‘non-sustainable’. For the remaining 52 percent the status was less clear (MAFS 2008).

The NGO explosion in West Africa had a different origin and, initially, a different impact. One reason was the Sahel drought in the 1970s, which forced people to experiment with new forms of organizations while governments were unable to solve the crisis or reach out with relief programs. Another reason was the prevalence of weak governments throughout the region which left considerable room for self-mobilization, especially in rural areas. Hence, the founding of some important CSOs and NGOs preceded structural adjustment and, therefore, they were not expected to assume the role as watchdogs. West African NGOs generally have emphasized their professional rather than their political roles (Holmén 2010). When structural adjustment was imposed by IFIs – later than in eastern and southern Africa – many had already developed their routines and modes of operation. Some farmers’ movements like FONGS and CNCR in Senegal have been recognized as spokesmen for the country’s rural population and have become influential in policy dialogue while defending government sovereignty in adjustment negotiations with the World Bank. These organizations, and the regional NGO-network ROPPA, are, together with the Naam movement (originating in Burkina Faso, later expanding to encompass at least nine countries) and the Kuapa Kakoo association of cocoa-growers in Ghana, frequently described as success-stories. A circumstance contributing to their success has been ‘flexible funding’ (i.e. external financial support with no strings attached) enjoyed by e.g. Naam and ROPPA, something that rarely if ever occurred in other parts of Africa. The literature has found a number of ‘NGO-paradises’ in West Africa and Toulmin and Guéye (2003: 33) contend ‘throughout West Africa, a range of producer organizations (POs) have established themselves and strengthened their position’.

Besides these showcases, however, and contrary to the above quotation, the CSO/NGO sector is commonly defined as weak: lacking skills, resources and ambitions. GONGOs and NGOs with close ties to politicians or senior officials are common. Several governments, while implementing SAPs, have maintained control over strategic export crops such as cocoa and cotton. Being part of governments’ divest-programs, restructured major irrigation schemes in Ghana and Burkina Faso (both in the literature described as success-stories) as well as ‘liberalized’ cotton production in Mali were to be based on cooperatives and farmers’ associations.

They have all been too hastily implemented and lack resources and management skills and some are highly exploitative. Growth in the number of NGOs/CSOs has been impressive. However, many NGOs in the region are urban-based and run in a top-down manner with little grassroots contact. Some are fakes, created just to obtain aid money. The two showcases Kuapa Kakoo in Ghana and Naam in Burkina Faso need some special attention.

### ***Kuapa Kakoo***

In 1992 the government of Ghana decided to partially liberalize the cocoa market. A number of leading farmers, including a visionary farmer representative on the Ghana Cocoa Board, seized the opportunity to establish a cocoa producers' cooperative – Kuapa Kakoo – with members in 22 villages. Having overcome initial bureaucratic hurdles, by 2006 it had grown to involve more than 40,000 farmers in over 200 villages. Having begun as a producers' organization (PO) that sold its produce to the Cocoa Board, its activities have since expanded to encompass a farmers' union (buys cocoa from member farmers); a trading arm (for cocoa exports); a credit union (provides credit and banking services); and a farmers' trust (provides funding for community projects). Kuapa Kakoo is a major shareholder in the UK-based Day Chocolate Company. It has also invested in a wide range of non-commercial projects to improve the livelihoods of individuals and communities, for example a health-care program, social services, schools and nurseries (Tiffen et al. 2004).

### ***Naam***

Triggered by the Sahel drought in 1973, the Naam movement and the Six S, a support organization, were formed in 1976 by a former extensionist and teacher and a French development worker. Six S (*Se Servir de la Saison Sèche en Savane et au Sahel* – 'Using the dry season in the savanna and the Sahel') was based on the idea of using the dry season (which could last up to nine months) when labor was idle to promote village efforts to cope with immediate difficulties by way of installing soil and water conservation measures that would improve agricultural production in the coming wet season. Later, activities were extended into a wide spectrum of activities such as natural resource management, village shops and mills, roads, schools, libraries, theaters and football. The movement grew rapidly and by the turn of the millennium, it included hundreds of thousands of small farmers in nine countries in West Africa.

The Naam bases its approach on an ancient, traditional association, Kombi Naam, a common village-age cohort composed of young people with highly cooperative characteristics. Its aim is to foster moral qualities such as solidarity and cooperation among the young and at the same time accomplishing socially useful tasks for the village, for example carrying out construction work and harvesting and to organize festivals. Traditionally, such groups provided a sort of practical schooling in the working of society but they never assumed the role as change-agent. The movement's success is partly explained by its investment strategy. Every Naam investment should have two children – a 'son' and a 'daughter'. One of them (the son) is used for maintenance or a new investment in the village. The other (the daughter) is saved to be used for investment in another village. Thus, by working at the grassroots level and honoring traditional rules about sharing and reciprocity, Naam has been able to mobilize large number of small farmers, to introduce novelties and, to some extent, to improve communal life (Toborn 1992; Lecomte & Krishna 1997; Uemura n.d.). However, while Naam built its initial strength on its ability to root

innovative projects in indigenous institutions, these customs also included strong hierarchical components. So when the strongman decided to move on to do other things, the major part of the movement collapsed (Hårsmar 2004).

## The importance of context

The above two examples illustrate a common but often overlooked circumstance – that organizations tend to mirror their contexts more than they shape them (Holmén 2010). Organizations are created for different purposes. They act and react according to possibilities and obstacles that they confront, not because they are exposed to some kind of allegedly superior rationality or because they are empowered to do things differently by some external supporter.

Bernard et al. (2005: 1) propose that ‘formal village organizations (VO) can be classified into market-oriented (MO) and community-oriented (CO) organizations, with the former aimed at supporting entrepreneurship and rising members’ incomes while the latter are oriented at the provision of public goods for the community’. They further suggest that ‘an MO’s economic performance . . . is constrained in communities with strong sharing norms . . . In some cases, the pressures to share are so high that no MO can emerge’. While this is likely to be the case, the location of these villages will have a bearing on the options and constraints encountered. The geographical aspects of this problematic should not be overlooked. It is not primarily a question of inherently conservative communities and other inherently more progressive communities. They are not static. Well-connected and more diversified areas simply offer more opportunities than do isolated areas. In a remote locality it would not make much sense to opt for market-oriented production because the market is too unreliable.

Significantly, the more outward-oriented producer organization Kuapa Kakoo was established in the southern, more developed and accessible parts of Ghana whereas the more community-oriented and preservationist CSO, the Naam movement, was found in more peripheral and less densely populated environments. This is a common pattern that repeats itself throughout sub-Saharan Africa. In Zambia, an out-grower scheme for fruit and vegetables collapsed in 2004 and was restructured by its farming members into a cooperative union for vegetable growers, LACCU, which then successfully built relations with input suppliers, sought out replacement markets (domestic as well as export), expanded its membership and improved profitability (Hopkins et al. 2005). The success is partly due to proximity to the capital and the comparatively well-developed road and transport infrastructure. Partly, it is also explained by high and diversified skills among members. In the area, middle/younger-aged people from the city as well as retired civil servants have begun to engage in farming. LACCU’s executive committee contained ‘a retired banker, a retired human resource manager and a certified accountant who specialized in giving credit to farmers’ (ibid.). There are many examples of apparently successful market-oriented POs in eastern and southern Africa. They are all located in accessible areas and engage in cash-crop production, sometimes for export, but avoid staple-crops (Holmén 2010).

This is in stark contrast with more peripheral areas where preconditions are less favorable. Michael (2004: 72f), reporting from Tanzania, found that local CSOs engage in ‘caring for the sick, disabled and elderly with varying degrees of success. However, these local welfare organizations commonly lack any engagement with the wider issues of underdevelopment . . . [and] the credit and business sector . . . is . . . very small’. In Kenya a multi-sector development program was initiated by a foreign aid agency in 1997 in a dry and remote area with low agricultural potential and widespread poverty. The aim was to create a participatory and democratically

controlled development, initiated, owned and controlled by the participants. All in all, 111 village communities (with a population of 180,000 inhabitants) took part in the program and by 2004 a total of 840 projects had been implemented, an average of eight projects per community or about 100 projects per year. The majority of these projects, 61 percent, were community-oriented whereas only 29 percent were income-generating. Market-oriented projects were even fewer with only eight projects in trade – one per year or one per 14 villages! A savings and credit component was added in order to accelerate income-generating activities. However, members, not too keen on repaying loans, sold their products outside the scheme with severe financial consequences, thus depriving the association of its core function, which soon came to a standstill (KDDP 2004).

Cleaver (2005) describes how different environments in Kenya impact on which type of organization can be found where:

The type of organization predominating varied from village to village; the more marketized southern agricultural villages displayed greater individualization of social life, labor was hired rather than collective, membership of clubs and associations was largely for productive purposes such as livestock rearing or managing irrigation water. In the pioneer villages to the north of the district, where people settled in order to pursue mixed agricultural and pastoralist livelihoods, associational life revolved much more around reconstructed versions of 'traditional' collective labor arrangements, singing and dancing groups, and public events such as rainmaking.

(2005: 901)

For analytical reasons it is important to point out the differences in impact of nearness and remoteness. In the real world, however, many areas and locations fall somewhere between these extremes. Thus, it is a question of relative nearness. Remoteness does not exclude market-orientation, but it makes it less likely to occur. Also, it is often not a clear-cut difference between market *or* community-orientation. As the example of Kuapa Kakoo shows, this progressive PO also pursued a range of community-objectives, a circumstance that no doubt made its simultaneous orientation toward market and individual gain more acceptable in the various localities. The 'economy of affection' does not preclude development, but imposes certain costs which, from a capitalistic perspective, may seem dysfunctional.

Bernard, de Janvry and Sadoulet (2005) studied 281 villages in Burkina Faso, which were home to 647 village organizations (VOs), 327 of which were community-oriented (CO)<sup>3</sup> and 320 market-oriented (MO). They found a strong resistance to commercialization and, particularly, to individualization in the area. They also found that COs were more evenly distributed across villages than MOs and that a large village has a greater probability of having an MO than a small village and a village with social homogeneity has less chance of having one. This indicates that accessibility had a stronger influence than 'community conservatism' since larger villages are likely to be better connected to roads, markets and so on. In other words, 'the spatial variable is a strong determinant for which type of organization we are likely to find where' (Holmén 2010: 176).

Also here, most MOs had found it necessary to include community-activities, which on the one hand limited their economic efficiency but on the other hand made their market-orientation more acceptable to fellow-villagers. More important, from a development assistance point of view, is that 'the impact of an external partner on the way decisions are effectively taken in the organization is limited' (Bernard et al. 2005: 24). It was much easier for (I)NGOs to



find resonance for ‘participatory democracy’ in COs than in MOs, which, the authors contend, ‘requires more leadership’ (ibid.). ‘Even though external partners press for more participatory forms of governance, the most efficient cooperatives are those with strong leadership’ (ibid.). This is probably a misunderstanding. The two types of VO require different types of leadership, not necessarily more. COs have bonding purposes and typically deal with issues of general concern, i.e. undertakings with a public-goods character, which traditionally have involved a wide range of stakeholders built on consensus arrangements. Hence, it is no wonder that COs find it easier to accommodate NGOs coming to teach them ‘participation’. They practice that already. MOs, on the other hand, are of a bridging nature and are established in order to deal with the outside world and to engage with entities of which their members normally have little experience. Such arrangements often demand quick decisions and give less room for ‘sitting under a tree and talk until a consensus is reached’. This, however, is not to say that COs are less effective than MOs. The two types of organization have different purposes and their effectiveness should be judged by different criteria.

### **Crowding out**

This emphasis on context highlights a common dilemma facing NGOs (from the city) and INGOs (from abroad) entering a location to help with development. Korten (1980) stressed that there is not one model to follow, nor one set of key-factors that promises success. Instead he emphasized flexibility and the importance of an ‘organizational fit’, i.e. how well an organization fits in the context or environment where it operates. Such an organizational fit often seems to be absent, for various reasons. On the one hand, even if local organizations have been ‘spontaneously’ formed, INGOs and NGOs often find few, if any, suitable partners to cooperate with and therefore set up their own LOs and often choose to ‘do development’ themselves, at least for the time being. However, externally originating organizations are criticized for ‘not having a good grasp of the larger socio-political and economic milieu in which they [enter]’ (Nega & Schneider 2014; Kleibl & Munck 2017). Instead, they tend to follow their own modes of operation.

NGOs (often financially supported by an INGO or a foreign donor) dominate the scene. In no small proportion this is because they have a much stronger economic position than do their local counterparts. In Uganda, for example, around 80 percent of total NGO funds come from international grants (ID21 2007). In Kenya the corresponding figure is 90 percent (Maclean et al. 2015). INGOs and externally financed NGOs pay much higher salaries than do government institutions or locally financed CBOs which makes them attractive to the more capable and resourceful staff, particularly those with an education (Nega & Schneider 2014). This has led to a severe brain-drain from public authorities to NGOs (thus further weakening the state) as well as from indigenous organizations to externally financed NGOs and INGOs.<sup>4</sup> Also, since foreign funds are distributed selectively and tend to favor the already well connected, those that receive funding have an advantage in domestic competition over those NGOs that have to rely on domestically mobilized resources. This advantage is further strengthened as some (I)NGOs supply subsidized inputs to ‘beneficiaries’ and/or pay them to attend meetings – what Macleod (2015) calls ‘the tyranny of per diems’. Those without external links – the real grassroots organizations – tend to be ‘crowded out’ by the well connected.

By default more than design, this has created new forms of dependency among African grassroots and their indigenous organizations. It is well known that ‘he who pays the piper also calls the tune’ and this has far-reaching implications for NGO performance, strategies and



empowerment. Donors' and INGOs' fears of elite-capture (of projects and finances), the existence of bogus-NGOs (with the sole purpose to siphon off aid money) and incidences of embezzlement and/or lax control of NGO budgets have increasingly led to demands for remote control over 'local' activities. Supported NGOs have 'to cope with increasingly complex procedures for reporting and impact assessment' (Mueller-Hirth 2012: 652). Inevitably, donors' ideas and priorities take precedence over locally felt priorities (Jasor 2016; van Rinsum 2014). This has profound implications for empowerment of beneficiaries since INGOs and donors prefer to finance projects, but do not generally fund core functions or 'institutional capacity' of the NGOs with which they work. The result is that groups or projects seldom survive the funding period (e.g. Nega & Schneider 2014).

Some areas have few or no NGOs whereas other areas have attracted a mass of competing NGOs and INGOs. This creates confusion at grassroots level with a lot of duplication of groups and projects where each NGO is preoccupied with its own agenda (Amutabi 2006) and farmers sometimes 'belong' to a number of groups of projects run by different NGOs, each with its own guidelines and implementation procedures (Kaarhus & Nyirenda 2006). Grassroots have developed a relaxed attitude toward INGOs. In some areas, 'so many little projects have come and gone for so long that farmers joke about just waiting for the next project or group to join' (Bingen 2003: 11).

With financial support comes foreign agenda-setting and reports abound that externally supported NGOs are not only 'driven by donor agendas' (Bertone 2000), they are 'treated as sub-contractors and not as equals' (Chowdhury et al. 2006: 5). INGOs and supported NGOs need to show quick results and have little time to investigate local needs and capacities by way of participatory approaches. Instead they have often been found to be weak on participation. They enter an area with preconceived ideas about what is needed. They prefer to do what they believe is good for the people (Oyugi 2004) and 'capacity-building' (a strong legitimizing buzzword among INGOs) is often reduced to 'a bluff' (James 2014).

Crowding out and dependence on foreign agendas takes many forms. One is that NGOs are often perceived to 'deliver' development, rather than as mobilizers for development. It is also not uncommon that INGOs help African NGOs to write project applications, thus further aligning local 'initiatives' with donor preferences (de Sardan 2005). Another is that many African NGOs find themselves pressured to assume roles they are not so keen to perform, to hold governments to account, for example. INGOs' favored strategies emphasize policy influence and advocacy and 'politically oriented NGOs tend to be donor driven' (Kelsall 2001: 136; Duhu 2005; James et al. 2005). A further illustration of this growing dependence syndrome: I have been teaching 'development studies' for African master's students in Sweden and Italy and when I asked what they were most keen on learning, the answer was not empowerment or capacity-building but 'how to write a project proposal'. They understood that, in order to receive funding, proposals must be aligned with contemporary fads in the donor community. Another illustration: a few years ago I was invited to the European Investment Bank's (EIB's)<sup>5</sup> annual 'Civil Society Seminar with EIB's Board of Directors'. Some 20 representatives of 'African' NGOs were present, almost all of them white. I asked what mandate they had to speak for Africa. None bothered to answer. They were more interested in lobbying the EIB that it should add a gift component to the projects funded – a gift that, no doubt, was to be channeled through the (white) INGOs present at the meeting.

In many cases, the result is that ownership and initiative is being removed from the supposed beneficiaries of NGO-led development aid and is instead placed in the hands of foreigners.

Increasingly, African organizations have been lured to chase money rather than mobilizing indigenous resources. Not uncommonly, an attitude reminiscent of the Melanesian ‘cargo cult’ has emerged. Groups and organizations are indeed being created but they are ‘lying idle until an NGO comes to cultivate [them]’ (Bierschenk et al. 1999: 428). Not even the once successful Naam movement has been spared (e.g. Schweigman 2003) and folk-humor has altered the meaning of Six S, which now reads: *Se Servir de Sous Suisse Sans Soucis* (‘How to spend Swiss funds without remorse’). What we witness is a major incentive distortion.

## Concluding remarks

As this chapter has shown, the organizational landscape in sub-Saharan Africa is diverse with both progressive and preservationist CBOs/NGOs, with success-stories but also with failures. With half the population eking out a life below the poverty-line, Africa needs to increase productivity and to diversify its economy. Aloo (2000) writes about an emerging ‘new breed of NGOs’ that is ‘more professional’. And Holmén (2010) found a number of successful and economically viable producer organizations, often in well-connected areas with proximity to markets and comparatively well-developed transport infrastructure. They are of a bridging kind and tend to have a commercial orientation. They are often created on local initiative and have among their members and founders better-than-average skills and contacts and tend to cater (though not exclusively) for the better-off segments of society. So far they represent a minority of African organizations. Besides these, there is a huge periphery and a large number of bonding CSOs which sometimes fulfill important functions at grassroot level, but seldom function as change-agents.<sup>6</sup> The overall impression is, however, a story about weak and resource-poor domestic organizations crowded out due to overwhelming competition from external ‘supporters’ and local initiatives subordinated under foreign agendas. Long-term capacity-building – which should be the objective of INGOs and donors – appears often to be sacrificed on the altar of short-sighted service-delivery and the INGO competition for market-shares.

One can look at this from two sides: from outside or from within. The USAID’s ‘CSO Sustainability Index for Sub-Saharan Africa 2015’ recently concluded that NGOs, while seriously underfunded (more foreign money is needed), ‘make vital contributions in areas such as advocacy and service provision’ (USAID 2017: xv). Of a quite different opinion are a large number of African researchers. They find that ‘the NGO approach to development’ – as it has evolved – ‘weakens African civil society’ (Duhu 2005), that it is largely a failure (Zaidi 1999; Aloo 2000; Amutabi 2006) and that it represents a neo-colonialist project (Shivji 2006; Nolutshungu 2008). Hence, Africa must liberate itself from its liberators and seek indigenous solutions (PAPF 2008). My own conclusions are two: (a) if development is to be sustainable, it must come from within, and (b) we should listen to these African voices and take their message seriously. Not only do they see things westerners often are unwilling to see – it is also, after all, their future that is at stake.

## Notes

- 1 The label NGO is here used to depict domestic organizations (often of urban origin) that assist or help forming local (LO) or community-based organizations (CBOs). INGO (international or northern NGOs) refers to foreign NGOs active in Africa. Both NGOs and INGOs are intermediary organizations which, although they claim to be mobilizers, often tend to be links in a delivery chain.
- 2 I limit the discussion in this chapter to organizations with a development purpose (e.g. education, mobilization of own resources, technological innovation, productivity enhancement, product diversification)

and largely exclude relief and advocacy-oriented NGOs (such as Amnesty International, Médecins Sans Frontières, Transparency International).

- 3 COs had *never* engaged in market-oriented activities, a rather harsh limitation.
- 4 One estimate suggests there are 'three times more staff working in INGOs in Malawi than in local NGOs' (see Macleod 2015: 1).
- 5 The EIB finances projects in developing countries on a commercial basis. It is thus not a 'donor' in a traditional sense.
- 6 For example, the West African network of farmers' associations ROPPA, which has earned accolades for forwarding the interest of small producers and the logic of family farms, deliberately sets itself apart from efforts to promote more forward-looking entities like commercially oriented POs and commodity-based groups or networks (see e.g. Bingen 2003).

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# NGOs in South Asia

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## **Introduction**

NGOs in South Asia are as diverse as the countries of the region. The term ‘NGO’ covers a wide diversity of not-for-profit entities ranging from large educational institutions to small grassroots NGOs in a community. What they have in common is a broader community purpose based on a set of values shared by their governing members and supporters, rather than a profit motive, or being an instrument of government, as the source of their motivation (Lissner 1977; Kilby 2011). There are of course grey areas where industry NGOs advocate for their for-profit members, and many government statutory authorities share common elements including values, much like an NGO. For this chapter I will mainly focus on local NGOs in South Asia, which are values based, and dedicated to the social development of their communities. Of course, this still includes a vast spectrum of NGOs ranging from those that are more activist and built around social movements for transformational change across communities; or are more locally based around improving family and community welfare and livelihoods; while others have a strong religious base for their values, and seek to see these values adopted more broadly. Of course, this naturally leads to values conflict, and while NGOs seldom attack each other directly, they often seek support government or other patrons to limit the reach of those NGOs that do not share their values. The other key element for a values-based NGO is credibility, and so NGOs need to establish some relationship with government or other powerful actors, and have a strong local community base to achieve some level of credibility. At the most basic level this involves some form of regulatory agreement with government, but if NGOs are to have a broader influence then the relationship often involves funding.

This chapter will focus on the development of local NGOs in the countries of South Asia, and only look at international NGOs working in these countries to the extent they include local NGOs, or locally registered counterparts, whereby international NGOs ‘spin off’ local autonomous counterparts as part of confederation arrangements. The chapter will look at the development and current situation of NGOs in each of the four major countries of South Asia (India, Pakistan, Bangladesh and Sri Lanka), their regional interactions and their links to international organisations. It will also briefly touch on the situation in Nepal and Bhutan where the development of local NGOs is more recent, and there has been relatively little research.

## Overview

South Asian NGOs have a range of histories but for those countries that now make up what was British India up until partition in 1947, Bangladesh, Pakistan and India, their NGOs have their origins in the social reform movements of the mid-19th century, and the independence movement in the 20th century. The Societies and Registration Act of 1860 in British India was the first legal framework for NGOs in the region (Nair 2011; Kilby 2011), which became an early source of their legitimacy. In Nepal and Bhutan, the relevant feudal monarchies restricted the formation and activities of NGOs until the late 20th and early 21st century (Kaul 2008; Ulvila and Hossain 2002), while in Sri Lanka NGOs are also a more recent phenomenon. The largest NGO, Sarvodaya, was formed as a social movement in the 1950s, with a strong focus on village organising around services for local communities (Goodhand 1999; Walton 2008). A broader cohort of NGOs then developed largely based around religious identity – Buddhist, Hindu, Islam and Christian (Orjuela 2005). The other key feature is that they have remained national rather than regional in their focus, and in the case of India, NGOs have remained largely sub-national, with few truly national NGOs (Kilby 2011).

NGOs of South Asia, through their various histories, have had to face challenges to their legitimacy. In all cases, they have had to defend themselves against hostile governments, and at times other radical social movements. NGOs have the challenges of accessing resources for their work, which for some has been from foreign funding, and others by fee-for-service, or as is the case for most religious-based NGOs, local philanthropy. While most service NGOs are able to fund their work from local sources, many advocacy NGOs, particularly those around human rights, social issues and the environment, depend on foreign funding for the bulk of their resources. This becomes a source of tension, a point that will be returned to later in the chapter.

Foreign funding has included from donor governments as well as international organisations such as the World Bank and UNDP and others, which at times have used local NGOs to advance their policy interests in a particular country. These interests might be around: social inclusion; gender justice and the advancement of civil and political rights; democratic governance; and liberal values more broadly, all of which may challenge local values and norms. For example, the World Bank has used NGOs for Natural Resource Programmes in South Asia, and UNDP for advancing the rights-based development agenda (Kilby 2011; Cammack 2017). In the 2010s, local NGO legitimacy is being debated by both government and in the media across South Asia, as it is elsewhere. The rise in nationalism and a rejection of a Western-driven liberal consensus across the region presents a real threat to local NGOs, their legitimacy and in some cases their survival (Rutzen 2012).

This attack on NGO legitimacy is a global trend supported, for example, by Public Choice Theory, which argues that NGOs, rather than being public interest organisations advocating for the needs and rights of a broader public, are in fact self-interest organisations run by an unaccountable few, seeking rents from the governments and others (Johns 2000, 2005). The Theory challenges the notions of NGOs being values-based public benefit organisations working for the public good, however defined (Thompson 2016; Staples 2008; Lissner 1977). Public Choice Theory comes from a libertarian philosophy around the individual having a primary voice only through their elected representatives. This view was bluntly articulated by the Chief of a Bangladesh parliamentary standing committee, when he stated that ‘Freedom of expression is applicable for the citizen, not for any organisation. NGOs are inferior here’ (Sengupta 2016, p. 1). There is some merit in the argument as many smaller NGOs in South Asia are locally based family affairs riddled by nepotism, but ironically these are not the ones that come under attack, which are generally



those larger local NGOS with a broader supporter base that have more legitimacy, and thus pose a threat to other established political forces.

In South Asia this growing sense of nationalism is largely driven by religious identity being linked to a national identity whether it be Hindu, Buddhist or Islamic, and with it a clear rejection of the liberal values being adopted and advocated by many secular NGOs and supported and funded by international organisations and Western governments (Burllet 1999; Jafar 2007; Walton 2008; Jamal and Baldwin 2017). This is compounded by the fact that secular NGOs, unlike their religious counterparts, do not have a natural local philanthropic funding base, and so are dependent on fees for services, local government contracts or foreign funding (Ghaus-Pasha, Jamal and Iqbal 2002). Only the foreign funding provides any real space for resourcing advocacy, but that is often driven to varying extents by the agenda of the funding agency, which often reflect what are seen as Western liberal values.

At a broader political level, the rise of the Global South in international relations, led by China and the BRICS<sup>1</sup> countries, has added a new dimension to the challenges for local NGOs, especially those that are seen to be promoting Western liberal values. These can be in the form of civil and political rights, rather than values based on economic and social rights (that have emerged from the South), which service delivery NGOs ostensibly deliver (Jamal and Baldwin 2017; Sahoo 2013; Öjendal and Antlöv 1998). One response has been a tightening up and adding punitive measures to the increased regulation of both local and foreign NGOs across South Asia. This is particularly the case in India, Sri Lanka and Bangladesh for those local NGOs receiving foreign funding (Bornstein and Sharma 2016; Walton 2008); while in Pakistan the focus has been on foreign NGOs with branches operating inside the country (Jamal and Baldwin 2017). The following sections analyse the situations across the countries of South Asia.

## India

India is not only the largest country in South Asia but also has the most complex NGO landscape. NGOs have a long and rich history that goes back to ancient times when, as with the other major empire of the time, China, the provision of social welfare was through voluntarism and local organisations (Simon 2013; Kilby 2011; Jakimow 2010; Krebs 2014). This was followed in the early years of the British colonial rule when the idea of India as a unified state emerged. British missionaries set up local branches for welfare services from around 1810, the local bourgeoisie followed suit from around 1820 and by the 1840s a social reform movement had emerged. Rural self-help groups were established in the 1860s, and local activist groups resisting British colonial rule were led by the Indian National Congress movement that was registered initially as an NGO in 1885, to later become a political party (Sen 1999; Sheth and Sethi 1991). British India was among the first countries to have its own NGO regulation with the Public Trust and Societies Registration Act of 1860, which gave a framework for NGOs to establish both legitimacy and credibility (Sheth and Sethi 1991). The independence movement, the work of Mahatma Gandhi and the Quit India movement from the 1920s gave a much stronger political and advocacy focus for Indian NGOs. This support for NGOs was formally recognised in the independence constitution of 1948, and early Indian national governments were generous in their support. While government funding of NGOs has continued ever since, there has also been increasing government hostility over the past 50 years to NGO advocacy using foreign funds, and this has become more marked in the 2010s. Periods of antagonism, cooperation and state control at a national level have existed for most of the 200 years that NGOs have been active in India.

In the 2010s the Indian NGOs have been under increased scrutiny, like their counterparts globally. This is not new; the first intense scrutiny of NGOs post-independence was under the first Indira Gandhi government, which blamed NGOs in part for her downfall in 1967. In 1976 on her return to power Indira Gandhi passed the Foreign Contributions Regulation Act (FCRA), which was to ensure that 'foreign funds were used for purposes consistent with the sovereignty of the Indian Republic' (Kilby 2011, p. 15). There was a feeling in government that many NGOs' foreign funds were being sourced from foreign powers, including the CIA, which has been known for using and building up NGOs for its own purposes, the most prominent being the Asia Foundation in the 1950s (Blum 1956; Warner 1996; Dahl et al. 1967). Since the 1970s the FCRA has been amended many times to more tightly control NGO advocacy (Jalali 2008), the most recent being in 2010, when NGOs were required to renew their FCRA registration every five years, and meet more stringent reporting requirements (Agarwal 2012; Bhat 2012).

Under the Narendra Modi government since 2014 NGO regulation has taken another turn. Under the slogan of 'minimum government maximum governance' (Ruparelia 2015, p. 755), the Indian government has attacked both conservative and more activist international NGOs. Both Compassion, an evangelical US-based Christian NGO sponsoring children, and Greenpeace, an environmental activist NGO, have been expelled from India or had their foreign funding curtailed (Barry and Raj 2017), while the Gates Foundation-funded and highly esteemed Public Health Foundation of India was also banned from receiving foreign funds (Sharma 2017; Ruparelia 2015). In the case of Greenpeace, it was through environmental activism having been seen as a threat to rapid industrial development (Deutsche Welle 2015). In the case of Compassion its evangelical Christian focus was seen as a threat to Hindutva, the philosophy of Hinduism being the sole national religion (Jaffrelot 2013). In all, 20,000 NGOs have lost their registration with 1,000 NGOs in 2017 alone being barred from receiving foreign funds, and a further 3,000 have been asked to please explain why they should not be barred (Sharma 2017; Bornstein and Sharma 2016). This represents nearly half of those NGOs receiving foreign funds. This is the largest crackdown in the history of FCRA and NGO regulation in India. It also has an effect on their relationship with international organisations, acting as a deterrent to them pursuing closer linkages.

This existential threat to NGOs has the effect of changing the NGO culture in India. While in the 19th century Indian NGOs were mainly service oriented, with some advocacy against the cultural extremes of oppressing women, the first half of the 20th century saw NGOs falling into either left-wing radical, nationalist or service delivery organisations (Kilby 2011; Sen 1999), with the latter being the only group recognised by the colonial government. The second half of the 20th century, with increased regulation particularly from the 1980s, saw a decline in radical activist NGOs and a rise in NGOs advocating for various forms of human rights and environmental concerns. This was at a time of a rapid increase in state and donor funded service delivery, either directly or indirectly in the guise of self-help programmes, such as microfinance and other community-based income generation programs. In the 21st century the Indian state has been much more aggressive in corralling local NGOs into a generally government-funded service delivery model, and restricting any voice they may have and links they may develop with international organisations.

There are often clear sanctions on any advocacy to go with any breach of the domestic funding conditions they may have, particularly if that involves criticism of national programmes. It also prohibits any foreign-funded work with all levels of government down to the local government at panchayat level. Contract restrictions on how local government funding is used, together with FCRA restrictions, mean that local NGOs are caught in a bind when it comes to

advocacy. The role of international organisations and INGOs has been more sharply defined as supporting service delivery, and the language of rights is rapidly disappearing, as is any rights-based advocacy by local NGOs (Bornstein and Sharma 2016). This follows a global trend of questioning the role of NGOs in advocating for changes to government policy, particularly if this advocacy was foreign funded.

Hindu religious organisations and associated NGOs are largely exempt from these restrictions partly because they are favoured by the BJP ruling party and so avoid scrutiny, and partly because they are able to source funding from local philanthropy and through non-resident Indians whose donations are exempt from FCRA foreign funding rules. Those NGOs are also both supportive of the state and supported by the state as part of a broader crackdown on secular and other non-Hindu religious NGOs, mainly Christian and Islamic (Gupta 2016; Stepan 2015). The largest Hindu religious NGO is the Rashtriya Swayamsevak Sangh (RSS), which was founded in 1925 to ‘strengthen’ the majority Hindu community, and is the main patron of the BJP ruling political party (Frykenberg 2016). The RSS with millions of supporters at home and abroad is able to capture foreign funds through its international offshoot the Hindu Swayamsevak Sangh (HSS), which seems to be immune from the FCRA regulations (Bhat 2015; Zavos 2015; Scroll.in 2014). The upshot of these changes is that Indian secular NGOs are at an existential moment, when their only option may be to ‘lay low’ and wait for the political winds to change.

## Bangladesh

While Bangladeshi NGOs share a common history with their Indian counterparts as part of British India up until partition in 1947, Bangladesh’s independence from Pakistan in 1972 led to a unique process of NGO development. The nascent country’s lack of a strong regulatory framework and a difficult time economically for the new country in the 1970s, which soon came under a military government that promoted some neoliberal reforms, led to a rapid growth in local NGOs (Karim 2016). A small number of these grew to dominate the NGO sector nationwide, and were seen as a credible alternative to the government in providing services in many sectors including health and education (White 1999; Karim 2016). While internationally these NGOs were well regarded and supported, especially by international organisations, many gained a poor reputation for dominating the local communities with a hierarchical supply-driven model that came to ‘resemble feudal zamindars more than modern development agencies’ (Stiles 2002, p. 839). At the same time, the government was encouraging Islamisation as a way to ‘court petro-dollars from the Middle East’ (Karim 2016, p. 5), which was to put further pressure on these large NGOs.

The Bangladesh Rural Advancement Committee, which is now known simply as BRAC, the largest NGO in Bangladesh and arguably globally, was started as a small rehabilitation project following the independence war. Fazl Ahmed, a former multinational oil company executive, who was forced to leave during the Bangladesh independence war, returned to rebuild his shattered country, by starting a small NGO working on one district. BRAC is now a major global NGO ranked number one in the world by NGO Advisor, operating in 14 countries. It has 100,000 staff employed in Bangladesh alone, and is a major provider of both health and education services across the country, as well as microfinance and small-scale credit (Mannan 2015). The story of BRAC is important because it has set the style for other Bangladeshi NGOs, and enabled a relatively small number of very large NGOs to dominate the scene. Because of this positive reputation they are well funded by foreign donors including international organisations, many of which are generally sceptical of government capacity (Lewis 2004; Chowdhury et al. 2013). The other

important institution that has also influenced the NGO scene in Bangladesh is the rise of the Grameen Bank. It is not an NGO as such but rather an independent bank established by a government ordinance that in many respects acts like an NGO. Under the leadership of Muhammad Yunus, like BRAC, the Grameen Bank grew from the mid-1970s to be a household name, and the flag bearer of microfinance and the associated credit-led approaches to poverty alleviation, through loans to poor women.

As in India, there has been a backlash against NGOs in the 1990s into 2000s by both government and other, mostly religious, conservative forces rejecting secular liberal approaches to national development (Stiles 2002; Bornstein and Sharma 2016). This is in part because in the 1990s NGOs increased their profile in the public sphere, whereas in the 1980s they kept a relatively low profile (Lewis 2004). In 1992 after a report critical of an NGO, Gonoshahajjo Sangstha (GSS), the government revoked the licenses of a number of the major NGOs: the donor backlash was immediate and so intense that the government had to reverse its decision within a matter of days, and endure the associated humiliation (Karim 2016). Also in the 1990s, religious conservatives were pushing back against the large secular NGOs, and exerted their influence by physically attacking both BRAC and the Grameen Bank facilities (Ulvila and Hossain 2002; Lewis 2004). A decade later Proshika, which has a similar trajectory as BRAC from the mid-1970s, also fell foul of the government imprisoning its leader and curtailing its foreign funding. This time, however, there was little backlash from the donors (Lewis 2004; Stiles 2002). In 2007, the major NGOs supported a military-backed caretaker government, which took power following a coup, the upshot of which was that in 2009 when the Awami League political party won the election in landslide it instituted a crackdown on NGOs for their perceived political activities around the coup, and earlier (Karim 2016).

In 2011 the Awami League government removed Muhammad Yunus as head of the Grameen Bank following tax avoidance and donor funding scandals (Burke 2011; Karim 2016). In 2013 the government sacked the independent Board members and took full control of the Grameen Bank, thus bringing it under the full purview of the government, and thwarting any ideas that Yunus may have had of setting up an alternative political force based around the women borrowers of the Bank (Kallol 2013; Karim 2016). In 2016 the Foreign Donations (Voluntary Activities) Regulation Act, based on the Indian FCRA of 2010, was passed, curtailing NGO capacity to speak out on public policy issues, by threatening to suspend or cancel the NGOs' registration (Sidel 2016). Part of this stems from the ideological positions within government that freedom of speech as set out in the constitution only applies to citizens but not to NGOs (Sengupta 2016), but also the active political role that NGOs took in the early 2000s.

While there have been arguments that NGOs are too close for comfort with donors (Edwards and Hulme 1996), and this has been arguably the case in Bangladesh in the past, the more recent moves for government to regulate NGOs away from any role in public policy and for donors to largely go along with this present a challenge on a new level, which NGOs are largely powerless to challenge. In this respect Banks, Hulme and Edwards (2015), in their revisiting of the *Too Close for Comfort* thesis, tend to overstate the role of the NGO relationship, with the donor in setting the development agenda away from local communities. It is now the nation state that is the driver in keeping local NGOs away from their communities much more than the ubiquitous donor.

## **Pakistan**

NGOs in Pakistan also had their origins in British India, but had a much less fostering environment in the 1950s and 1960s when there were a series of military governments. The result has

been that the NGO space is dominated by local religious NGOs. Secular NGOs involved in development or other socially based work are seen as illegitimate and dominated by their donor funders (Bano 2008a, 2008b; Ghaus-Pasha, Jamal and Iqbal 2002). There is, however, a set of foreign-funded service delivery NGOs, the Rural Support Programme NGOs, led by the Aga Khan Foundation (AGF), an Islamic-based NGO with close ties to government, which can avoid being labelled secular or liberal even though its work is not religious in its focus (Mirza, Begum and Rind 2017; Sheikh et al. 2017). This is a particular international organisation, together with IFAD, that has credibility and acceptance in Islamic states.

It was in opposition to the General Zia ul Haq's regime in the 1980s that NGOs in Pakistan developed and were supported by foreign donors. Their popularity, however, was to be short lived as Pakistan found itself in the middle of the Cold War followed by the War against Terror, to the point that foreign-funded NGOs (with the exception of the AGF) were linked to Western liberal and anti-Islamic ideologies. As with the other large countries of South Asia, Pakistan's religious NGOs have played an important part in social and to some extent its political life. They are seen to be more credible than secular NGOs, which have a reputation of being supported by Western agencies more so than in other parts of South Asia.

In Pakistan, unlike in India and Bangladesh, it is not the government that is central in regulating and mediating local NGOs voice and advocacy, but the broader society that takes on this role. There is a perception of the West as being in a broader anti-Islamic conflict against Pakistan, and foreign-funded local NGOs invariably get caught up in it, and so they avoid the term NGO (Bano 2008a; Jamal and Baldwin 2017). The Pakistan Government from 2016 has also increased the regulation of international NGOs operating Pakistan. They now have to nominate specific regions and fields, and if appropriate, the local NGOs they will work with prior to receiving funding approval, which is then governed by a three-year MoU (Dutt 2015). The Government has also intimidated foreign NGOs; for example, Save the Children Fund Pakistan was closed down for a period, and its expatriate staff expelled in 2015 (BBC 2015; Dutt 2015). This has implications for how international organisations can operate in Pakistan and how they relate to local NGOs. This is particularly pertinent in the context of a rising China's influence in Pakistan, and its own (China-led) international organisations such as the AIIB (Asian Infrastructure Investment Bank) and the Silk Road Fund that deliver the capacity for it to dominate the region. These new international organisations show little interest in working with NGOs, unlike the World Bank and other UN agencies.

## Sri Lanka

In Sri Lanka, as with the other larger countries of South Asia, the role of NGOs has also been tied up with national identity, and a strong religious overlay. While there is a large diversity of NGOs in Sri Lanka, those with the resources for development or other community work are invariably supported by foreign donors. The first major NGO to be set up in Sri Lanka was Sarvodaya in 1958, which was built on a mix of Gandhian and Buddhist philosophies (Walton 2008). This link to spiritualism and the national religion has meant that it has generally grown and thrived until more recently when its legitimacy came under scrutiny through a number of government enquiries (Walton 2008). Apart from Sarvodaya a number of secular NGOs developed in the 1980s in response to the neoliberal experiments of the time, and the withdrawal of government services from many sectors to be replaced by NGOs (Hulme and Sanderatne 2016). This led to credibility issues as many NGOs were seen as 'post-box NGOs' without strong links to local communities, or even to the government, so that similar to Pakistan, the term NGO quickly developed a bad reputation (Walton 2008).

Added to this, the ongoing conflict with the Tamil Tigers, which lasted over 20 years, and a brief but bloody insurrection by the JVP youth movement in the late 1980s (Moore 1993), led to heightened levels of security and hostility to any NGOs displaying an anti-government sentiment, or supporting the peace movement. These secular NGOs were seen as 'a corrupting influence on Buddhist society' (Walton 2008, p. 141). By the mid-2000s the term NGO was not in favour, and while many NGOs used the term in relation to donors, domestically they avoided it (Hertzberg 2015). Sarvodaya, for example, called itself a social movement rather than an NGO (Walton 2008). By the mid-2010s the hard-line President Rajapaksa created 'his own brand of competitive authoritarianism' (Stepan 2015, p. 133; Athukorala and Jayasuriya 2015), and cracked down further on NGOs (Walton 2016; DeVotta 2016) with support from the fundamentalist nationalist Buddhist organisations the Bodu Bala Sena (BBS) and Sinhala Ravaya (Athukorala and Jayasuriya 2015; Stewart 2014). In 2014 the government banned NGOs from holding press conferences or putting out press releases, and had to register with the government, and have all of their work for the forthcoming year approved (Dibbert 2014; Ministry of External Affairs 2014; Awadhoot 2017). The advent of the more liberal and inclusive Sirisena government in 2015 has seen some weakening of the influence of the Buddhist nationalists, and an easing of the rhetoric against NGOs with increased use of the term 'partners'. However, many of the draconian regulations of the Rajapaksa regime still remain (Sri Lanka Brief 2017), and the Justice Minister within the governing coalition has been calling for further regulation, thus forestalling any easing of the rules (Bandara 2017; Athukorala and Jayasuriya 2015).

## Nepal and Bhutan

Both of these countries have been, up until recent years, absolute monarchies with Nepal moving to a constitutional monarchy in 1990 and a 'shaky' democracy since 2006 (Karkee and Comfort 2016), while Bhutan moved to a constitutional monarchy in 2008. In Nepal NGOs have been under attack by the leftist JVP for being part of the process of neoliberalism and globalisation led by international organisations such as the World Bank, and have been subject to JVP militant attacks as a result (Ulvila and Hossain 2002). The regulatory framework for Nepal that has been put in place by the government is a controlling one, but in Nepal's case this has been to decentralise NGO regulation to the local level, so NGOs come under the purview of, and are effectively controlled in what they do, by local government (Spotlight 2014). On top of this there is a code of conduct in place prohibiting NGOs from receiving aid directly from donor countries: funding has to go through a government agency, and from there to local government to direct expenditure (Hutt 2006). The advent of a communist-led government in late 2017 does not augur well for improvements in NGO freedoms, given the basis of support for both NGOs and the communist parties are very much at a local level, where they compete for constituents.

In Bhutan, as part of its peaceful shift to democracy, the government has outlawed NGOs being involved in politics (Kaul 2008), but the Civil Society Organisations Act of 2007 does allow nascent NGOs to form and develop (Dorji 2017). The question, which is not clear, is the official interpretation of what is politics, and whether Bhutan will follow its neighbours, and narrow the definition of politics to include any discussion of policy. There is some sensitivity in these policy discussions following Bhutan being accused of ethnic cleansing following ethnic friction between two groups in the 1990s. The government puts a high priority on ethnic harmony ahead of liberal notions of human rights (Yangden 2016).



## Conclusion

This brief summary of the state of NGOs in South Asia, while by necessity fairly cursory, highlights some trends that are emerging in line with the broader international trends around the rise of authoritarian states. Part of this process includes an intentional delegitimising of NGOs across the range of South Asian national governments. The political focus is increasingly on national and sometimes ethno-religious identity, and perceptions of threats of foreign interferences via foreign funding of local NGOs including that of international organisations. Across South Asia all of these trends are clearly visible but with local variations.

The influence of ethno-religious nationalism is clearly evident in India, Sri Lanka, Pakistan and to a lesser extent Bangladesh. In all of these countries a religious-based national identity is promoted by either fundamentalist religious sects whether they be Buddhist, Hindu or Islamic; or through strongly nationalist NGOs with a religious base such as the RSS in India, the BDS in Sri Lanka or any number of quasi political-religious groups in Pakistan and Bangladesh. Part of the backlash is not only about ethno-nationalism but also against the neoliberal-influenced international governance regime led by the World Bank and OECD-DAC. Invariably international and local NGOs with donor funding have been supporting this neoliberal agenda to varying degrees and, with the exception of more fundamentalist religious NGOs in the region, have not pushed back against it. This has left them exposed to accusations of being agents of foreign powers.

As these countries of South Asia become more autonomous economically and less dependent on Western aid and influence, with alternative sources of patronage from China and to a lesser extent the Middle East, each of the countries for slightly different reasons are limiting the influence of foreign donors on their local NGOs through tighter regulation, while at the same time limiting the access of international NGOs. Likewise, with the exception of BRAC, few South Asian NGOs have spread beyond their own borders, and they have been reluctant to develop regional NGO groupings, probably due to the strong international rivalry in the region and quite different ethno-religious traditions. The 2010s have seen a sea change in NGO–state relations in the region with a stronger regulatory framework consciously excluding them, and their international counterparts and supporters, from having a strong voice in government policy and social justice issues.

## Note

1 Brazil, Russia, India, China and South Africa.

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**Part V**

# Contemporary challenges

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# Democracy and NGOs

*Sarah Sunn Bush*

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Since the end of the Cold War, many states and international organizations (IOs) have devoted increased effort to promoting democracy in the developing world. NGOs have played an important role in this trend, both as advocates of democratization around the world and as agents that help implement the policies of states and IOs in this area. The post-Cold War democracy promotion enterprise has had many critics, including those who point out the inconsistency if not hypocrisy of the states and IOs that engage in democracy promotion (Robinson 1996; Brownlee 2012) and the mixed records of their most prominent efforts (Carothers 1999; Paris 2004). Yet others have noted the successful application of democratic conditionality in the case of the European Union (EU) (Vachudova 2005) and even urged the United States and other Western governments and IOs to embrace democracy promotion more fully in their foreign policies (McFaul 2010).

This chapter focuses on the role of NGOs in democracy promotion, documenting their successes and failures. Both international and domestic NGOs are included in the review. To understand this topic, the chapter begins by describing the growth of NGOs working in this issue area since the 1980s as well as the backlash to their work during the twenty-first century. Then, it discusses the impact of NGOs in two domains of democracy promotion: (1) foreign aid programs designed to support democracy and good governance, and (2) efforts to monitor states' performance in terms of democracy. I consider both NGOs' successes and challenges, including as a consequence of authoritarian countries' recent efforts to subvert the activities of NGOs. After reviewing the role of NGOs in promoting democracy within states, the chapter then briefly considers the role of NGOs in promoting democracy within institutions of global governance. Finally, the chapter concludes by suggesting directions for future research in international relations related to NGOs and democracy.

## **Democracy promotion and NGOs: historical context**

Democracy promotion is not a new phenomenon. American presidents dating back at least to Woodrow Wilson have expressed a rhetorical commitment to supporting democracy abroad, though they have disagreed about the best tactics to use (Smith 1994; Monten 2005; Bouchet 2013). During the Cold War, German political parties set up the *stiftungen* (foundations), which

were political party organizations that sought to support their sister parties in countries such as Spain and Portugal. Those organizations are thought to have played a meaningful role in several countries’ democratic transitions (Pinto-Duschinsky 1991) and continue to promote democracy today around the world.

Yet it was during the 1980s and 1990s that American and European governments – as well as some prominent IOs – began devoting more effort to democracy promotion. This shift was a result of both an embrace of democracy as a “world value” that ought to guide foreign policy decision-making and a demand for international assistance from many countries that were undergoing democratic transitions (McFaul 2004–5). Consequently, states and IOs began to allocate more financial resources to democracy promotion and expanded their efforts globally. Prominent private foundations, such as the Open Society Institute (now Open Society Foundations) funded by George Soros, were also created to funnel money to civil society actors interested in advancing democratic change.

This context created new opportunities – both financial and political – for NGOs to work in the realm of democracy promotion. As a result, many new organizations were founded that were dedicated to the goal of supporting democracy. At the same time, existing organizations that worked in other fields (e.g., development) began to incorporate democracy promotion into their activities. To illustrate the growth of the NGO sector in the field of democracy promotion, Figure 37.1 presents data on the total number of NGOs in the world with “democracy” as one of their subject areas. The data come from the Yearbook of International Organizations, which collects data on internationally oriented NGOs (or INGOs), which it defines as NGOs that work in at least three countries.<sup>1</sup> As the figure shows, there was tremendous growth in the number of NGOs working on democracy during the 1980s and 1990s. In contrast, the number of new findings has slackened off in the twenty-first century.<sup>2</sup>

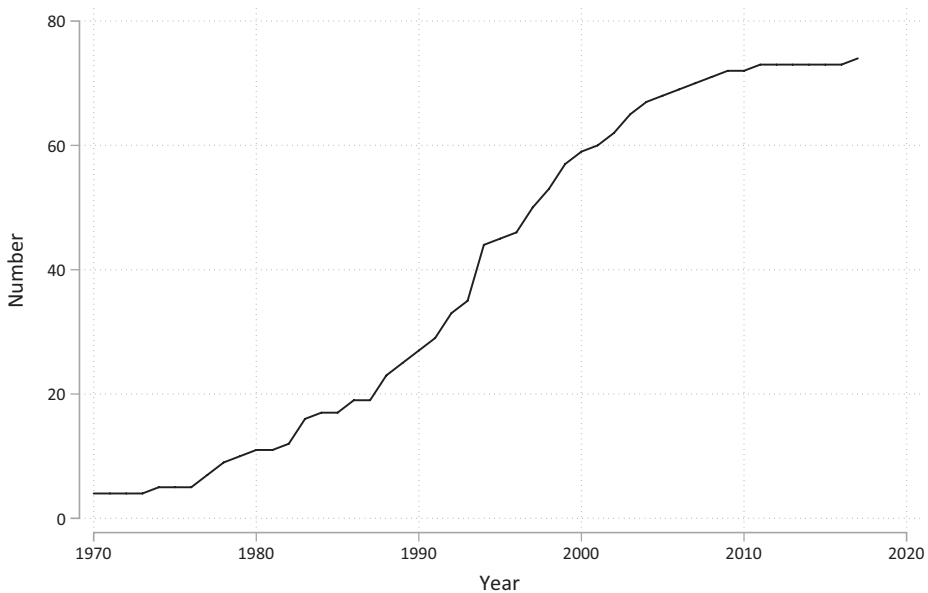


Figure 37.1 Number of INGOs dedicated to democracy promotion



Many NGOs that play prominent roles in the democracy promotion field – sometimes termed the “democracy establishment” or the “democracy bureaucracy” (Melia 2006; Bush 2011) – were founded during the field’s period of growth immediately before and after the end of the Cold War. These NGOs have networked with each other through conferences sponsored by groups such as the World Movement for Democracy, International Institute for Democracy and Electoral Assistance (International IDEA), and the Community of Democracies. With time, the field has become more professional and bureaucratic (Bush 2015).

The U.S. government has historically provided more funding than any other government for democracy promotion. As such, the growth in NGOs focused on democracy promotion in the United States was particularly significant. There, the National Endowment for Democracy (NED) was created in 1983, which is a unique organization that is privately governed and incorporated but receives its funding via an allocation from Congress. Several NGOs that are guaranteed to receive grants from the NED each year (as well as receiving grants from other funders) were created at around the same time: the International Republican Institute (IRI), the National Democratic Institute (NDI), the Center for International Private Enterprise (CIPE), and the American Center for International Labor (now the Solidarity Center). These organizations were designed to loosely represent the interests of various constituencies in U.S. democracy promotion – the Republican and Democratic Parties for IRI and NDI, respectively, and business and labor for CIPE and the Solidarity Center. Other significant American NGOs that were created in the 1980s outside the NED “family” included the International Foundation for Electoral Systems (now simply IFES) and the Carter Center, both of which have historically focused on electoral assistance within the realm of democracy promotion.

Parallel organizations have been established in Europe and beyond, though the institutionalization of democracy promotion outside the United States has happened somewhat more recently. Organizations loosely following the NED model include the Westminster Foundation for Democracy in the United Kingdom, the Netherlands Institute for Multiparty Democracy, and the European Endowment for Democracy across the EU countries. It is worth noting, however, that these organizations have somewhat more formal relationships with their governments than the NED does with the U.S. government. Prominent European NGOs include Electoral Reform International Service (ERIS), which supports free and fair elections in a way that resembles IFES, and PartnersGlobal (now Partners for Democratic Change), which works with civil society to manage some of the societal conflicts that accompany democratization. A further interesting development has been the growth of prominent democracy promotion NGOs in countries that were formerly the targets of democracy promotion, such as Poland and Serbia (Petrova 2014; Pospieszna 2014).

As the number of NGOs working in democracy promotion has grown, the field has faced new challenges. First, as the field has become denser, NGOs have faced an increasingly competitive funding environment. This trend is typical of many fields of NGOs in the world today (Cooley and Ron 2002). Second, a growing number of countries have implemented restrictions that make it difficult for foreign NGOs and foreign-funded NGOs to register and operate legally within their borders (Christensen and Weinstein 2013; Dupuy et al. 2016; Chaudhry 2016; Heiss 2016). Elsewhere, I have argued that both dynamics have had significant consequences for the strategies of NGOs working in this area and thus perhaps for democratization (Bush 2015). In particular, these trends have encouraged NGOs to focus on activities that are less confrontational and more likely to generate tangible, quick wins – what I call a “tamer” approach to democracy promotion. Whereas NGOs may have been more inclined to support dissident groups in the early days of democracy promotion, they are more likely now to focus on more technical activities such as improving local governance. Although such activities differ

considerably in how directly they confront the status quo in a country, they both fall into the general category of “democracy assistance,” the subject to which I now turn.

## NGOs and democracy assistance

Democracy assistance is a type of foreign aid. I define it as “aid given with the explicit goal of advancing democracy overseas” (Bush 2015: 4). Democracy assistance is channeled through multiple mechanisms, including through governments giving aid directly to other governments. However, and as with other types of foreign aid (Dietrich 2013), NGOs play a meaningful role in the delivery of democracy assistance.

International NGOs – which are generally NGOs that are headquartered in North America and Europe (i.e., not the countries that are the targets of democracy promotion) – play a dual role in democracy assistance. On the one hand, they are recipients of democracy assistance. State governments and IOs give funding to these NGOs in the forms of grants and contracts to support overseas programming. For example, an international NGO such as IFES might receive a grant from the U.S. government to support a program in Africa that is designed to train election administration officials in best practices for clean elections. On the other hand, international NGOs are donors for democracy assistance. These organizations themselves give out grants to smaller organizations, often domestic NGOs. For example, an international NGO such as NDI might seek to support women’s political participation by making grants to several women’s organizations that are based in Latin America.

As that example suggests, domestic NGOs – which are generally NGOs that are headquartered and work in the countries that are the targets of democracy promotion – are also active in democracy assistance. Many observers have cautioned that NGOs are not synonymous with civil society and often represent narrow constituencies or avoid political issues (Jad 2004; Hawthorne 2005; Irvine 2018). Moreover, in authoritarian countries, governments may be able to coopt the civil society sector, including through the creation of “government-organized NGOs” (GONGOs) that help them entrench their rule (Jamal 2007). Nevertheless, giving funds to domestic NGOs is often a core element of international aid for civil society and for democratization more generally (Carothers and Ottaway 2000).

The literature on the impact of democracy assistance has reached mixed conclusions. Quantitative studies that estimate the effect of democracy assistance on countries’ levels of democracy are generally positive, finding that democracy assistance – of which aid given through NGOs is a part – is associated with more democracy, on average (Finkel et al. 2007; Scott and Steele 2011; Gibson et al. 2015). However, qualitative studies of the same topic tend to reach more pessimistic conclusions (Carothers 1999; Zeeuw 2005; Brown 2006; Burnell 2011; Carapico 2013). The divergence may result from scholars using different yardsticks to assess success or dealing in different ways with inferential challenges such as the non-random selection of countries when it comes to the allocation of democracy assistance.

The specific literature on the effectiveness of NGOs in democracy assistance also paints a complicated picture. Research on this topic is primarily qualitative, and much of it has focused on dynamics in Central and Eastern Europe. Studies of the Colour Revolutions in countries such as Serbia and Georgia suggest that foreign aid can encourage opposition parties to unite and NGOs to mobilize successfully when dictators have attempted to steal elections (Beissinger 2007; Mitchell 2009; Bunce and Wolchik 2011). In fact, it may be the success of NGOs in democracy assistance in these cases that has prompted the rise of restrictions on foreign NGOs and foreign-funded NGOs, which have diffused especially in the years following the Colour Revolutions.

Outside these cases of electoral revolutions, NGOs have had some other wins, though they have not always been complete victories. Lisa McIntosh Sundstrom found that Western donors' efforts to support Russian NGOs succeeded in the domain of soldiers' rights because they drew on a universal norm against bodily harm. In contrast, their efforts to support women's rights NGOs were less successful, despite significant financial investments, because the norm of gender equality did not resonate locally in the same way (Sundstrom 2005). More generally, researchers have found that Western assistance in Russia managed to succeed at professionalizing certain aspects of civil society through providing training and resources for NGOs while still failing at the ultimate goals of supporting democracy and public policy change through civil society (Henderson 2002; Mendelson and Glenn 2002).

In addition to the lack of resonance of some of the norms advanced by democracy promoters, several further explanations have been given for some of the challenges faced by NGOs. Many relate to the political economy of foreign funding for civil society. When Western donors provide financial support for domestic NGOs, new types of individuals often become attracted to the NGO sector (Gugerty and Kremer 2008). Such changes do not necessarily improve the effectiveness of civil society organizations, though they may change their orientation (e.g., how likely they are to adopt contentious political tactics). NGOs that rely heavily on foreign funding for their survival tend to become more oriented toward the issues that donors prioritize (e.g., women's rights), which can have the unintended consequence of disconnecting them from the very societies that they purport to represent (Henderson 2002; Ishkanian 2008). These dynamics can result in surprising similarities in organizational forms in domestic NGOs interacting with democracy promoters in such diverse contexts as Ghana and Indonesia (Kamstra and Schulpen 2015). At the extreme, NGOs may even take advantage of foreign donors' lack of knowledge of the domestic context to use democracy assistance for corrupt purposes (Wedel 2001).

These dynamics play into the "taming" of democracy assistance that I referenced above. Less confrontational approaches to democracy promotion often promote the survival of NGOs engaged in democracy assistance since they are less likely to prompt a backlash by host governments. In circumstances where it is more difficult for foreign donors to observe the operations of local NGOs, the NGOs are more likely to pursue tame activities that are compatible with incumbent governments. My case studies of democracy assistance in Jordan and Tunisia support this conclusion (Bush 2015). In this way, the activities of NGOs can sometimes undermine funders' goals of promoting democracy overseas.

This discussion suggests that NGOs play an important but flawed role in democracy assistance. We have several examples of successful NGOs and several examples of unsuccessful ones. As I suggest in the conclusion, future research might do more to try to reconcile or explain the mixed findings in the literature about the effectiveness of NGOs, paying greater attention to the comparative politics of NGOs active in this issue area. But before considering how that goal might be best accomplished, I now turn to another area where NGOs are active in the domain of democracy promotion within states, which is in monitoring states' democratic performance (Wedel 2001).

## NGOs and democracy benchmarks

Ranking and rating (i.e., benchmarking) states is an increasingly common phenomenon in world politics (Broome and Quirk 2015; Cooley 2015; Kelley and Simmons 2015; Kelley 2017). These performance evaluations generally assess whether states are meeting international laws and norms and have been shown to have significant power and authority. When raters turn their attention to evaluating how democratic states are, benchmarks can serve as an important component of democracy promotion.

Ranking and rating states' levels of democracy is what IR scholars would call a "complex regime," which is to say that multiple actors – including states, IOs, and NGOs – perform overlapping and competing functions (Keohane and Victor 2011). In this way, the domain of ratings and rankings is similar to that of democracy assistance, in which multiple donors often fund similar programs in the same target countries. Some international NGOs are active in both domains, such as Freedom House, which receives grants to do democracy assistance work overseas and is also an influential rater of countries' levels of democracy.

One important area in which NGOs assess democracy is through election observation. Though elections are not synonymous with democracy, they are widely understood as a sign of its health. Inviting international election observers has become a norm such that monitors are present at most elections in the world today (Kelley 2008; Hyde 2011). Election observers issue reports after elections that assess the extent to which the elections meet international standards. These reports have significant influence in world politics. They are used by citizens to assess election quality and have been cited as a focal point in organizing post-election protests (Tucker 2007; Hyde and Marinov 2014).<sup>3</sup> They are also used by states and IOs when evaluating countries' progress in terms of democracy and thus have had significant ramifications in terms of everything from diplomatic statements to foreign aid. Finally, they are used as an indicator of the effectiveness of democracy assistance.

The same election will often be monitored by multiple observer groups, including both international and domestic NGOs (Kelley 2009b). It is often the case that international NGOs provide support to domestic NGOs serving as election monitors as a democracy assistance strategy. Well-known international NGOs that are active in this area include the Carter Center, IRI, NDI, IFES (historically), and outside the United States, organizations such as the Asian Network for Free Elections (ANFREL).

Election observer groups vary tremendously in their quality. Some election observers, such as the Carter Center, have taken concrete steps to ensure that they are able to detect fraud when it occurs (Hyde 2012).<sup>4</sup> These measures include sending missions with more individual observers, staying in the country for more time around elections, and using techniques such as the parallel vote count to verify election results. Thanks to these strategies, high-quality election observer NGOs such as the Carter Center tend to gather better information and be more critical than other organizations (Kelley 2009a). Some of the NGOs involved in election observation that are lower-quality may simply lack the capacity to be as comprehensive as the higher-quality NGOs, but it is also important to note that they may lack a sincere interest in uncovering election fraud. Indeed, there is a phenomenon of observer groups such as the Observer Mission of the NGO Forum of the Organization of Black Sea Economic Cooperation in Azerbaijan, which has been invited to monitor flawed elections there because the government knows that it will issue positive reports afterwards. Christopher Walker and Alexander Cooley call such groups "zombie" election observers.<sup>5</sup>

High-quality election observers have been an important democratizing force in the world. They can draw international attention to elections, making it costlier for politicians to cheat, and they can also change the incentives of the local officials who may be interested in committing malpractice by being present at polling stations. Indeed, although election observers have biases and limitations in terms of their capabilities, they are associated on average with higher-quality elections and more turnover, which is an indicator of how easy it is for politicians to hold onto power fraudulently (Kelley 2012). Case studies further support this finding, including experimental analyses of elections in Armenia and Indonesia that demonstrate that when election observers are present at polling stations, there is less fraud (Hyde 2007, 2010).

Despite these positive effects, however, election observers have also had some more negative consequences. In some cases, election observers are present even at elections of quite poor quality. High-quality election observers like the Carter Center are less likely to accept invitations to monitor such elections because they do not want to contribute to flawed elections' legitimacy and need to preserve their own reputations (Hyde 2012). In contrast, adding legitimacy to flawed elections may be the precise goal of less scrupulous election observers like the "zombie" groups referenced above. A study I conducted with Lauren Prather in Tunisia found that observers that scholars do not regard as high-quality can cause the public to perceive an election as more credible, suggesting that the strategy of inviting low-quality election observers could pay off for incumbents (Bush and Prather 2018).

Even the missions of high-quality election observers may involve some negative unintended consequences. Research suggests that observers' presence has encouraged autocrats to change their survival tactics, transferring fraud from one polling station to another and moving from overt forms of cheating to subtler manipulations that are more difficult for observers to document (Ichino and Schündeln 2012; Simpson and Donno 2012). Such manipulations may be more detrimental to democracy and governance in the long-run than ballot box stuffing. As such, it seems fair to conclude based on the literature that some NGOs engaged in election observation have made important contributions to democratization in the developing world, but that their effectiveness varies considerably with both the type of NGO and the political context.

Election observers' reports are not the only way, however, that NGOs promote democracy through assessments. Several NGOs have also influenced world politics through evaluating countries' overall levels of democracy. The most prominent example of this phenomenon comes from the American NGO Freedom House, which produces several annual reports that evaluate how democratic countries are. Their main rating is the Freedom in the World report, which has evaluated countries' overall levels of democracy ("free," "partly free," and "not free") and assigned them ratings on seven-point scales since 1972. Freedom House also produces influential annual ratings of related concepts, such as press freedom and internet freedom, and publishes special annual reports on levels of democracy in the post-Soviet region (the Nations in Transit series).

The Freedom House ratings have been shown to have significant power in world politics. They influence U.S. government decisions about where to allocate foreign aid, serve as important benchmarks for evaluating the effectiveness of that aid, and help audiences – including journalists, risk ratings agencies, civil society organizations, and pension funds – assess the level of freedom around the world. They are also used as a resource for action in world politics, whether by helping activists spur their government to reform in the wake of disappointing ratings or by giving governments cause to celebrate in the wake of positive ones (Bradley 2015; Bush 2017). These observations suggest that the Freedom House ratings have had a substantial positive impact on democracy in the world. However, the ratings also have their critics, especially those who note flaws in the ratings' methodology or point out that the ratings have tended to be biased in ways that favor countries that are U.S. allies (Bollen and Paxton 2000; Mainwaring et al. 2001; Munck and Verkuilen 2002; Steiner 2016). As we saw in the domain of election observation, evaluating democracy is a subjective and deeply political exercise, and thus a process that is open to multiple approaches (Giannone 2010; Kurki 2010).

Indeed, Freedom House is not the only private actor that engages in assessing countries' levels of democracy.<sup>6</sup> As with the case of election observers, NGOs and IOs that produce assessments of countries' levels of democracy often disagree over the meaning of democracy and which countries should be evaluated favorably (Gunitsky 2015). Creating new ratings can have the dual purpose of advancing democratization globally by drawing attention to good and

bad performers and helping to enhance NGOs' reputations and brands by establishing them as thought leaders (Cooley 2015). For example, the Economist Intelligence Unit has recently developed a democracy index that seeks to use a broader conceptualization of "democracy" than Freedom House. Similarly, the Mo Ibrahim Index of African Governance is an indicator of "quality of governance" that includes "participation and human rights" as one of its core categories. Especially as the number of competing assessments of democracy expands, it will be increasingly important for NGOs active in this domain to take steps to enhance their credibility, similar to what we have seen in the domain of election observation.

## NGOs and democracy within global governance institutions

Thus far, I have considered the role of NGOs in promoting democracy within states. However, NGOs also play a role in promoting democracy within global governance institutions. Though a complete review of this literature is beyond the scope of this chapter, I briefly explore some of its key insights before concluding.

A common criticism of contemporary IOs is that they are lacking in democratic legitimacy. Although the extent to which the EU and other IOs really suffer from a "democratic deficit" is debated (Moravcsik 2002; Keohane et al. 2009), there is a fairly widespread perception that global governance institutions are insufficiently accountable and representative. Although these worries about global governance are not new, they seem to have gathered particular steam in the current era of globalization (Kaldor 2008; Davies 2012). As always, how one defines democracy is a core issue.

Regardless of whether allegations of a democratic deficit are well founded, they have raised important challenges for IOs that seek to maintain social legitimacy. Thus, at least partially to assuage concerns about their lack of democratic accountability, IOs have increasingly "opened up" to global civil society as represented in the form of NGOs (Tallberg et al. 2014; Ruhlman 2015).<sup>7</sup> The inclusion of NGOs in the activities of IOs holds promise for democratic accountability in several ways, such as through NGO monitoring of and reporting on the activities of IOs (Scholte 2004) as well as through NGOs providing IOs with information about the preferences of citizens (Steffek et al. 2008). For example, the Universal Periodic Review (UPR) process within the UN Human Rights Council deliberately draws on the work of NGOs in terms of its documentation of countries' human rights performance, and NGOs have worked together around the UPR to lobby governments to do more to respect human rights (Milewicz and Goodwin 2018). At the same time as some NGOs pursue "insider" tracks of influence around IO negotiations and meetings, other NGOs prefer to take a different tack, preferring a more radical, "outsider" approach. Jennifer Hadden shows how even NGOs with a similar overall goal – combating global climate change – were sharply divided over what approach to use around the 2009 UN Climate Change Conference in Copenhagen (Hadden 2015).

In contrast to many of the NGOs described above that are active in the areas of democracy assistance and democracy benchmarks, the NGOs that are most active in contributing to the democratization of global governance institutions are generally not explicitly oriented toward issues related to democracy. Instead, the NGOs that participate in IO meetings are environmental groups, women's groups, and so on. In other words, they contribute to an overall democratization of global governance as a byproduct of their specific efforts at influencing IOs' policies or cooperating with IOs on programs. Indeed, much of the literature on how NGOs participate in and influence IOs suggests that these organizations behave like interest groups, drawing analogies between NGOs and more familiar actors from comparative politics such as lobbyists



and firms (Sell and Prakash 2004; Prakash and Gugerty 2010; Bloodgood 2011; Mitchell and Schmitz 2014; Tallberg et al. 2018).

Although many observers are hopeful about the democratizing potential of including NGOs within the structure of global governance institutions, others are more pessimistic. Some of the main questions that have been raised relate to whether NGOs truly represent global civil society, similar to the concerns noted above in the section on the role of NGOs in democracy assistance. Especially in the case of IOs that are composed of democratic states, it is not clear that NGOs do a better job of representing the public than do governments' democratically elected representatives. Related critiques observe that the inclusion of NGOs can reinforce existing inequalities within IOs. For example, the NGOs that tend to have the most power in transnational movements tend to be wealthier and more often from the global North (Hughes et al. 2018). Finally, research by Jonas Tallberg and coauthors notes that IOs are careful to protect many policy areas from NGO influence and underlines the considerable variation in openness to NGO influence across IOs (Tallberg et al. 2014). Thus, it is important not to overstate the democratizing potential of current global governance arrangements, while at the same time we should recognize that these arrangements continue to be adapted.

## Conclusion

With the end of the Cold War, states and IOs have devoted more attention to promoting democracy in the developing world. As explained above, NGOs have played an important role in this major shift in world politics. Both international and domestic NGOs have been active in the areas of democracy assistance and monitoring and reporting on states' democratic performance. In both domains, NGOs have had meaningful successes, but they have also been criticized for failing to live up fully to their goals and for insufficiently managing negative unintended consequences. NGOs have also played a role in ongoing efforts by global governance institutions to incorporate civil society actors.

Despite being an area of lively research, there are several open questions about democracy and NGOs that merit more attention. I explore three such areas here. First, to assess the effectiveness of NGOs in the realm of democracy promotion, it will be worthwhile to devote more attention to the comparative effects of NGOs. Scholars have increasingly noted the diversity among NGOs active in world affairs, exploring how variables such as nationality and funding environments shape the strategies and behaviors of NGOs (Stroup 2012; Stroup and Murdie 2012; Bush 2016; Bloodgood and Tremblay-Boire 2017). Given the diversity of NGOs (not to mention other actors) that are active in the field of democracy promotion, a welcome next step in the literature would be to compare the effects of different types of NGOs at delivering aid, deterring fraud, and so on. There is a nascent literature that is starting to pursue such analysis for the case of election observation, but much more research could be done in this vein for other aspects of democracy promotion (Daxecker and Schneider 2014; Bush and Prather 2018). For the states, IOs, and private foundations that fund the activities of NGOs, such research would provide much-needed policy guidance.

Second, future research could explore the legitimacy of NGOs in the area of democracy promotion. Surveys of global publics generally indicate that NGOs are viewed more positively than many other actors in world politics, including states and IOs (Gourevitch and Lake 2012). Yet many people believe that NGOs have a negative influence on their countries because of their links to powerful states and IOs (Guarrieri 2018), and there is some cause to worry that prominent NGO financial scandals could be worsening the legitimacy of the overall



organizational form.<sup>8</sup> Given the importance of public perceptions for NGO effectiveness in the realm of democracy promotion (not to mention in other areas), scholars might do more to understand the sources of attitudes both toward NGOs generally and toward NGOs with specific characteristics related to membership structures, funding, and so on. Such analysis could then be tied to behavioral outcomes, such as individuals' willingness to cooperate with NGOs or receptivity to the information contained in NGOs' reports.

Finally, future research would benefit from more attention to population dynamics among NGOs engaged in democracy promotion. IR scholars have recently used insights from population ecology to understand historical trends in growth and death rates among NGOs as well as other actors in world politics (Dupuy et al. 2015; Abbott et al. 2016). Such analysis raises interesting questions for NGO scholars, such as how to delineate the boundaries between the population of NGOs engaged in democracy promotion and the population of NGOs engaged in other activities, such as human rights protection or development. Understanding how NGOs in the democracy promotion arena cooperate or compete with NGOs in related fields is a promising direction for more exploration.

## Notes

- 1 This search was performed using the online version of the Yearbook of International Organizations (accessed on January 29, 2018).
- 2 Note that INGO foundings across a number of sectors have slowed in the twenty-first century due to changes in resources and other population-level dynamics (Bush and Hadden 2018).
- 3 Consequently, election observers often have further consequences for domestic politics in terms of voter turnout, opposition boycotts, and election violence (Beaulieu and Hyde 2009; Kelley 2011; Brancati 2014).
- 4 Generally speaking, higher-quality election observer groups have signed the 2005 Declaration of Principles for International Election Observation (available at [www.cartercenter.org/resources/pdfs/peace/democracy/des/declaration\\_code\\_english\\_revised.pdf](http://www.cartercenter.org/resources/pdfs/peace/democracy/des/declaration_code_english_revised.pdf), accessed January 30, 2018).
- 5 See Christopher Walker and Alexander Cooley, "Vote of the Living Dead," *Foreign Policy* (online), October 31, 2013 (available at <http://foreignpolicy.com/2013/10/31/vote-of-the-living-dead>, accessed May 29, 2017).
- 6 Of course, there are also many democracy indicators that have been developed by academics rather than NGOs, such as Polity.
- 7 Note, however, that it is unclear that such measures are successful at increasing the social legitimacy of IOs (Dellmuth and Tallberg 2015).
- 8 It remains unclear, however, whether negative attitudes toward foreign countries such as the United States actually spill over into negative attitudes toward the initiatives of NGOs engaged in democracy promotion (Bush and Jamal 2015).

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## NGOs and authoritarianism

*Andrew Heiss*

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In January 2017, China's new 2017 Overseas NGO Law came into effect, restricting the rapidly growing community of international NGOs (INGOs) by requiring that all foreign NGOs be monitored and overseen by a Professional Supervisory Unit – typically a government ministry or government-run NGO. The law also imposes strict requirements on the issue areas foreign NGOs can address, limiting them to education, technology, sports, poverty alleviation, and other non-contentious issues. In debates over the law, the Chinese Communist Party identified INGOs as direct threats to national security and designed the law to limit Western influence and insulate China's domestic NGO sector from foreign values, allowing the government to “better protect China from perceived external threats to its sovereignty and social stability” (Shieh 2017).

China's anti-NGO law is part of a larger global trend of closing civic space in authoritarian regimes. Crackdowns and restrictions on NGOs have increased in frequency and severity. In 2015, Russia passed its Undesirable Organizations law, giving the government the ability to blacklist any foreign or international organization and force them to shut down. In May 2017, Egyptian president Abd al-Fattah al-Sisi signed legislation that had sat in draft form since the 2011 uprising, imposing harsh jail sentences for any foreign NGO undertaking political activities or operating without paying a substantial registration fee. Kazakhstan, Azerbaijan, Myanmar, Cambodia, Bahrain, Hungary, and other authoritarian regimes have passed similar restrictive NGO laws in recent years. In its 2017 report on global civic space, CIVICUS found that only 3% of the world's population lives in open societies with minimal restrictions on associational activity, with the majority living in countries with obstructed or repressed civic space (CIVICUS 2017).

Despite this increasingly closed space for global civil society, international NGOs continue to operate in authoritarian regimes, even in countries that have become more hostile. As of May 1, 2018, over one thousand foreign NGOs have gained either permanent or temporary official legal status in China under the provisions of the 2017 Overseas NGO law, including ten that work on labor issues and many others that deal with other potentially contentious issues (Batke 2018). More curiously, since the 1990s, China has strategically invited dozens of Western NGOs to set up offices locally, specifically to provide policy guidance and technical governing expertise (Wheeler 2013). Greenpeace – one of the most radical and outspoken INGOs in



environmental advocacy – has offices in Beijing and has helped draft laws related to renewable energy and other environmental issues (Teets 2014). Though the 2017 law emphasizes the national security risks of foreign NGOs, consulting with INGOs is a regular policy practice for the Chinese government. Despite their public pronouncements that NGOs are threats, authoritarian regimes around the world allow them and rely on them.

This presents a perplexing phenomenon. Authoritarian restrictions on domestic and international civil society have increased over the past decade, but authoritarian states continue to allow – and even invite – NGOs to work in their countries. Though the services and advocacy provided by NGOs can challenge the legitimacy and power of authoritarian regimes, the majority of autocratic states allow NGO activities, and NGOs in turn continue to work in these countries in spite of the heavy legal restrictions and attempts to limit their activities. This chapter examines the theories about and the experiences of domestic and international NGOs working in authoritarian countries. Each of the countries discussed in this chapter have been classified as autocracies by Geddes, Wright, and Frantz (2014) at some point since 1990. Some cases have democratized between 1990 and 2018, but the relationship between state and civil society is still shaped by the country's authoritarian legacy. The review is premised on the theory of authoritarian institutions: dictators delegate political authority to democratic-appearing institutions in order to remain in power and maintain stability. After providing a brief overview of authoritarian institutionalism and balancing, I discuss how domestic and international NGOs fit into authoritarian stability-seeking calculus. I then look at three forms of state–NGO relationships in the context of authoritarianism and explore how autocrats have addressed and regulated international NGOs in particular. Finally, I conclude with suggestions for future research on NGOs and their relationship with and role in authoritarian regimes.

## Authoritarian institutions

Despite the popular image of all-powerful dictators who exert total control over their countries, authoritarians are often precariously positioned and run the risk of regime collapse or overthrow. A growing literature in comparative politics argues that authoritarianism is a dynamic form of governance, with rulers engaging in constant legislative, constitutional, and institutional reforms as part of a complex multi-level game played by the regime, elites, opposition forces, international actors, activists, and social movements (Stacher 2012, 31). Autocrats must carefully balance external actors and institutions to remain in power (Levitsky and Way 2010), and failure to do so can lead to regime collapse (Heiss 2012; Svobik 2009). Ultimately, the persistence or collapse of authoritarian regimes depends on the quality and management of their institutional restraints and rivals (Brownlee 2007, 202), and if “rulers counter [threats to their rule] with an adequate degree of institutionalization, they survive in power” (Gandhi and Przeworski 2007, 284).

Political institutions lie at the core of modern authoritarianism and autocracy. As such, throughout this chapter, I use an institutional definition of authoritarianism. Autocracy is not the opposite of democracy – autocracy occurs when an executive achieves power through undemocratic means, when a democratically elected government changes the formal or informal institutions to limit competition in the future, or when militaries prevent electoral competition (Geddes, Wright, and Frantz 2014). An autocrat interested in maintaining power over their population without turning to absolute totalitarianism can either outlaw opposition to their policies through political repression, or improve the popularity of their policies by manufacturing political loyalty and creating a veneer of popular consent (Wintrobe 1990; Gandhi and Przeworski 2006), and autocrats carry out both strategies by navigating and manipulating the institutional landscape in their states. However, interacting with external institutions is often



fraught with risks. Though coercive institutions like the military and secret police forces are instrumental for maintaining state authority, finding the right balance of repression is difficult. Civilian authoritarian regimes often rely on strong militaries for legitimacy and coercion, but as regimes face economic hardship, popular unrest, or political instability, those militaries can emerge from their barracks to overthrow the failing state and install new civilian authorities (Cook 2007), as most recently seen in the military's interventions against both Hosni Mubarak and Mohamed Morsi in post-2011 Egypt. Internal police forces, deputized by autocrats to prevent coups against their regimes, pose a similar dilemma: secret police agencies that are too powerful could potentially stage their own coup against the autocrat, but forces that are too weak – and thus unable to revolt – are also unable to exercise coercive authority over the population and are thus ineffective at preventing popular coups (Greitens 2016). Striking the right balance of coercion is difficult and failure to do so can lead to regime collapse.

Because it is infeasible to rely solely on violent oppression to maintain power, autocrats have increasingly allowed for a degree of institutional dissonance and competition to manufacture popular consent and loyalty (Brumberg 2002). Today, dictatorships don “democratic garb” (Brownlee 2007, 25) and mimic democratic institutions to ensure their survival, offset domestic pressure, and boost their international reputation (Kendall-Taylor and Frantz 2014; Gandhi and Przeworski 2007). As seen in Figure 38.1, most authoritarian regimes hold competitive elections (Levitsky and Way 2010) and allow for multiparty legislatures (Blaydes 2011), and many have empowered an independent judiciary (Ginsburg and Moustafa 2008) and use independent central banks to set monetary policy (Boylan 2001).<sup>1</sup> While these reforms – many of which are hallmarks of democratization – appear momentous to outsiders, these democratic-appearing institutions are designed to increase regime stability and longevity. For example, Egypt has held competitive parliamentary elections for decades, but not with the purpose of giving citizens representation in government. Instead, regimes have used elections to dole out patronage to politicians who proved their loyalty through competitive elections, thus mediating (or prolonging) distributional conflict between lower elites who could theoretically oppose the regime (Blaydes 2011). Dictators create pseudo-democratic institutions to control the severity of the threat that elites pose to authoritarian stability. Parties, judiciaries, elections, and reforms are allowed, but they are kept weak and “dependent on the regime to ensure that they do not develop any real power or autonomy” (Frantz and Ezrow 2011, 7).

However, this devolution of control to democratic-appearing institutions – many of which can be actively opposed to the regime – creates a challenging competitive dynamic. If the political institutions in a regime are competitive enough, opponents and activists can use them as a means for obtaining actual power within the government (Frantz and Kendall-Taylor 2014). Under this form of competitive authoritarianism, there is genuine competition for power through elections, though the playing field is generally skewed toward the incumbents. Political competition under authoritarianism is often “real but unfair” (Levitsky and Way 2010, 5) – but still real.

Efforts to influence, control, or diminish opposing institutions can often backfire. State-sponsored labor unions were some of the most active anti-government protesters in Egypt and Tunisia in the 2011 uprisings (Beinin 2011), and opposition parties like the Muslim Brotherhood used competitive parliamentary elections to their advantage and regularly won large proportions of seats (Wickham 2002). These groups' political success allowed them to more effectively mobilize popular support against the regime and was a major factor in the Muslim Brotherhood's victory in the 2012 Egyptian presidential election. Dictators can permit nationalist anti-foreign protests to credibly signal their intentions during international crises and in effect use popular anger to increase regime stability in the international arena. However, these protests can spin out

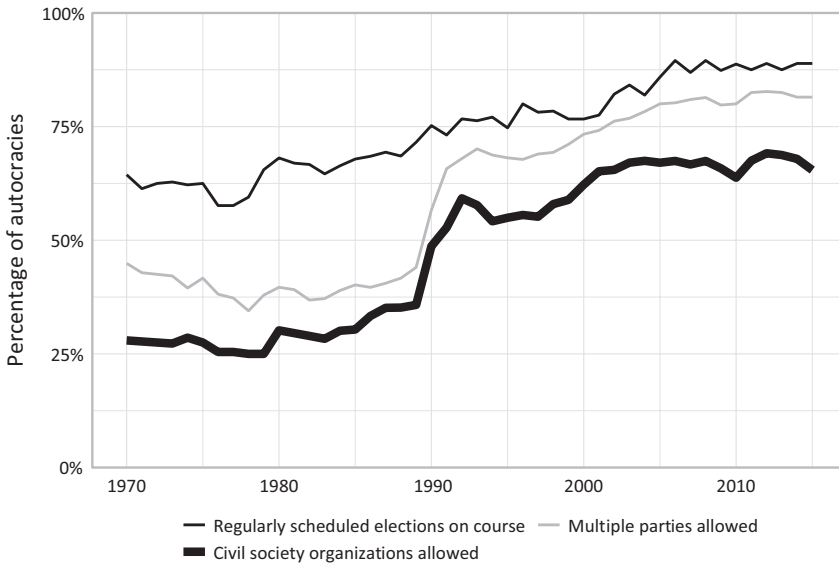


Figure 38.1 Adoption of pseudo-democratic institutions in authoritarian states since 1970

of control as opposition elites co-opt the protests, thus backfiring and destabilizing the regime (Weiss 2013). Initiatives to increase authoritarian legislative accountability to the public can also backfire – legislators in authoritarian regimes who are legally required to disclose their political activities and finances become less outspoken about the government and are less likely to be reelected or receive regime patronage, and are thus more likely to keep their activities hidden (Malesky, Schuler, and Tran 2012).

Today, authoritarian adoption of ostensibly democratic institutions has become standard practice, and while elections, political reforms, protests, and legislative politics all appear to push countries toward democratization, autocrats have instead used these institutions to maintain stability. This strategy of institutional balancing carries significant risks, though, and can inadvertently challenge autocratic power. The key for authoritarian survival is thus striking the right balance of institutional independence and control.

### NGOs and authoritarian institutions

NGOs and other civil society organizations have become yet another democratic-appearing institution that authoritarians can use to enhance regime stability, and associational life has become a common feature of autocratic rule. Figure 38.1 shows the growth of autocratic allowance of civil society since the 1970s: by 2015, more than two-thirds of authoritarian countries permit citizens to associate in civil society organizations, following trends similar to other pseudo-democratic authoritarian institutions. Empowering NGOs allows autocrats to expand their control over society and take advantage of the services and expertise provided by these organizations, but doing so also runs the risk of allowing these organizations to destabilize the regime. NGOs in authoritarian regimes are political wildcards (DeMars 2005) and autocrats watch them closely. Much of the uncertainty about the role of NGOs in authoritarian politics is rooted in the ambiguity of the relationship between civil society and government in general. Ahmed and Potter (2006) provide a helpful typology of three forms of NGO–state relationships:

NGOs can collaborate and reinforce, oppose, or substitute for state power. Below, I explore how the dynamics of authoritarian institutional politics color each of these relationships.

### ***NGOs as collaborators and reinforcers of authoritarian power***

The idea that NGOs and civil society support and collaborate with governments was first made popular by De Tocqueville and later championed by Putnam, Leonardi, and Nanetti (1994). This view sees groups of citizens actively engaging with the government to advocate for reform, rights, change, or other services. The vibrant associational life that grows out of this engagement forges links that cross social boundaries – bowling clubs, parent/teacher associations, neighborhood groups, volunteer organizations, and other non-profit groups tend to include members from multiple social strata, thereby breaking down vertical social boundaries and increasing social trust. This associational life increases civic engagement, embeds norms of reciprocity into society, and helps improve democratic governance – in other words, civil society ultimately strengthens and bolsters the state.

The dictator's goal of using democratic-appearing institutions is not ultimately to improve democratic governance, but to improve authoritarian stability. Tocquevillian NGOs at first do not appear to fit well into this authoritarian stability-seeking calculus. However, Antonio Gramsci offers a bleaker view of civil society's role in supporting the state and allows us to see that civil society under authoritarianism has a different purpose than it does under democracy. Gramsci argues that NGOs and civil society actually contribute to "a more subtle and sophisticated form of state power," one that "serves as an outer perimeter of defense for a hegemonic state" (Cook 2007, 7, 143). The state can exert control over NGOs to more deeply insinuate itself into society by distorting the networks that civil society organizations create. Instead of allowing for horizontal networks of civic engagement, authoritarian states work to ensure that formal civil society organizations are vertically linked to the state's central authority.

For example, in post-Oslo Palestine, hundreds of new associations and NGOs appeared in the wake of the new peace process, but access to resources was limited by these organizations' connections to Yasser Arafat's ruling Palestinian National Authority (PNA). Palestinian civic associations that supported the PNA received more funding from the government and national donors. As such, many Palestinian association leaders built vertical networks linking their organizations to the state, rather than with members of the communities they served. In one instance, a sports club in Ramallah transformed into a community office connected directly to the PNA, allowing its members to access medical assistance and other unrelated benefits from the government. The PNA successfully insinuated itself into society and transformed civil society's horizontal networks of reciprocity to vertical patronage networks (Jamal 2007).

Laws regarding the allocation of NGO funding can also influence the shape of crosscutting networks in authoritarian states. The legal environment of post-Soviet Russia silenced the burgeoning democracy aid sector and stifled its growth. Henderson (2003) shows how in the early 1990s, foreign donors interested in democratization flooded Russia's civil society sector with aid, which provided hundreds of NGOs with valuable equipment and training and increased their organizational capacity. At the same time, however, competition for democratization aid changed the nature of these organizations. Similar to Palestinian non-profits aligning themselves with the PNA to secure funding, foreign aid to Russian NGOs created the unintended consequence of creating patron-client ties between international donors and Russian recipients, strengthening vertical ties rather than the horizontal networks necessary for a more robust and socially responsive civil society sector. Instead of a strong grassroots civil society, foreign democratization aid in post-Soviet Russia – enabled by laws that shaped the distribution of foreign

funds – helped created a “professionalized realm of NGOs, inaccessible to most local groups and compromised by its links to a neoliberal vision of development” (Hemment 2004, 215). This effectively allowed the Russian state to contain the side effects of democratization aid and neuter NGOs that could potentially destabilize the regime.

Russia has continued to regulate its civil society sector in a way that has linked it more closely to the state and moved it away from its intended constituents. In 2004, Vladimir Putin established the Public Chamber, a public funding mechanism for distributing funds to all civil society organizations. Subsequent anti-NGO laws passed in 2006, 2012, and 2015 strengthened the new office and shaped it into one of the only legitimate means for domestic NGOs to obtain financial support, linking civil society directly to autocratic state authority (Flikke 2015). Russian NGOs now often act as “the agents of [state-determined] social policy, not the influencers of it” (Crotty, Hall, and Ljubownikow 2014, 1264), and the civil society sector appears to be an extension of the state.

NGOs frequently support and reinforce authoritarian state power in more overt ways, with civil society organizations providing governments with technical and political expertise. Often this capacity building is sorely needed – humanitarian NGOs dealing with disaster relief, refugee assistance, poverty alleviation, and development provide critical services throughout the world. In many countries, NGOs are the main provider of public goods. For instance, in 1999, NGOs provided 40% of health services in Zimbabwe (Ahmed and Potter 2006, 63). Authoritarian states regularly encourage these kinds of NGOs in order to take advantage of their funds and expertise. From 2004–2016, China partnered directly with foreign NGOs to enhance service delivery, education, disaster response, and environmental protections throughout the country – as mentioned previously, even highly contentious Greenpeace has an office in Beijing. However, while the work that humanitarian NGOs do is important, Jennifer Brass (2016) argues that in more repressive and corrupt countries, NGO-based service provision prolongs and props up bad governments by lending them legitimacy. Governments will often invite foreign NGOs into their countries or establish domestic NGOs to help with specific projects and then take credit for their work. In Kenya, Brass finds that citizen perceptions of government quality improved when NGOs provided services, since citizens “expected exceedingly little from their government, so they tended to be pleased to receive any services at all, regardless of the source” (Brass 2016, 27).

NGOs can thus simultaneously improve state capacity and bolster the international legitimacy of authoritarian countries. NGOs can be a powerful tool in authoritarian stability-seeking calculus, particularly when the legal environment restructures horizontal civil society networks into direct links with the state (Marzouk 1997). This type of institutional co-optation transforms NGOs into “mediators between the people’s demands and the administration’s offers” (Néfissa 2005, 8) and allows authoritarian regimes to remain in power longer.

### ***NGOs as opponents to authoritarian power***

In contrast to the notion that civil society grants legitimacy to authoritarian governments, others have argued that civil society stands in opposition to the state. The deeper social connections formed by participating in associational life can allow members of these organizations to “stand up to city hall” (Jamal 2007, 4), to pursue their community self-interests, or to help maintain moral order and social norms. In this view, civil society organizations act as watchdogs against the government, providing members of society with a vehicle for popular mobilization. Furthermore, these organizations help citizens overcome collective action problems inherent in standing up to repressive regimes, since civil society “helps to back trust whenever there is a

sufficient number of citizens who feel vengeful enough to work towards exposing publicly the illegal acts or malpractices of both private and state agents” (Platteau 2000, 308).

Accordingly, NGO activities in authoritarian countries can have real, measurable effects on domestic politics and pose significant risks to regimes that allow them to operate. At times, domestic civil society organizations can organize citizen action and mount direct opposition to the state. As autocratic governments in Latin America in the 1980s banned political parties and removed officials with leftist views, for instance, former state employees “founded private think tanks and other organizations that came to serve as the nucleus of opposition to military rule” (Ahmed and Potter 2006, 65). Similarly, the 2011 uprisings in the Middle East were largely facilitated by domestic civil society organizations. In Egypt, union workers in the Nile Delta, university students, youth organizations like the April 6 Movement, and prominent regional human rights NGOs held regular protests and directly challenged the state in the years prior to 2011, setting the stage for the dramatic collapse of former president Hosni Mubarak’s regime (Heiss 2012).

Importantly, the ability of NGOs to successfully stand up to the state depends largely on their power relative to the state. As I discuss later, autocrats tend to engage with civil society on their own terms and work to ensure that the NGOs they allow to operate in their country contribute to regime stability. Today authoritarian governments are generally much more effective at limiting the political power of NGOs and other civil society organizations through harsh legal restrictions. NGOs that pose a danger to the balance of authoritarian institutions are far less likely to be allowed to operate freely.

Because of this, scholarship has turned to look at the role of international civil society as a bulwark against recalcitrant states, since these organizations tend to enjoy greater operational freedom by working from abroad. Countries that receive negative evaluations in human rights reports and press releases from international NGOs see a marked reduction in foreign direct investment inflows (Barry, Clay, and Flynn 2013) and tend to respond with better compliance to international human rights norms (Murdie and Davis 2012). Murdie (2014) concludes that international NGOs focused on service provision and human rights advocacy have improved human security outcomes in authoritarian regimes, providing more access to water and increased adoption of human rights norms. Human rights shaming campaigns by international NGOs can also dictate the allocation of international aid to recipient countries. When INGOs highlight government abuses in countries with more limited influence in global affairs, donor agencies are more likely to channel their aid to domestic NGOs and condition their aid on improvements in human rights, thus forcing repressive countries to engage in unwanted domestic policy reform (Dietrich and Murdie 2017). NGOs – both domestic and international – thus pose a legitimate threat to authoritarian stability and dictators must balance out their influence.

### ***NGOs as substitutes for authoritarian power***

Finally, when autocrats are unable to balance the institutional challenge posed by civil society, they run the risk of ceding responsibility for public service provision and even losing a degree of political control over their countries. Because they often play a critical role in providing social services, close networks of development NGOs and INGOs in countries with weak national governments can marginalize the state and become substitutes to political and economic power.

The case of Kenya is instructive. As international aid agencies increased their work in East Africa in the 1990s, donors preferred to channel their money through NGOs, since they saw civil society as less corrupt and more reliable than Kenyan authorities. Large donor agencies began to require that governments work directly with NGOs to receive any funding. However,

the regime resisted these efforts, and in 1997 President Daniel arap Moi warned that NGOs involved in education were a “threat to the security of the state” (Brass 2012, 215). As domestic and international NGOs gained more legitimacy and received greater funding, they posed a growing threat to the stability of Moi’s authoritarian rule. Moi lost the 2002 presidential election to opposition leader Mwai Kibaki, who embraced the powerful NGO sector wholeheartedly as a means to both enhance his regime’s stability and to collect international aid funds. Under Kibaki, NGOs became part of the regime’s social service apparatus, and today NGOs throughout East Africa and other authoritarian states “sit on government policymaking boards, development committees, and stakeholder forums; their strategies and policies are integrated into national planning documents; and their methods of decision making have, over time, become embedded in government’s own” (Brass 2012, 218). In contrast to Russia’s takeover of the NGO sector with the Public Chamber system, in Kenya and elsewhere NGOs have exerted much more agency and have had control over how they influence government policy.

NGOs have substituted for authoritarian state power in many other countries, often with negative consequences. In many instances, states with fewer resources or with weak government capacity purposely “cede responsibility for the provision of basic services” (Bratton 1989, 569) to better-funded NGOs in an effort to maintain political stability. Doing so, however, deeply entrenches the economic and social power of these NGOs, and “no incentive is ever provided to them to promote the kind of changes which would ultimately reduce their dependency on foreign donors” (Martin 2002, 12). In other countries, NGOs attract skilled workers by offering higher salaries, which allows them to siphon off the most skilled public sector employees and further weaken state capacity (Ahmed and Potter 2006; Chege 1999). In Zambia, development NGOs have been far more successful than the government in providing social services and public infrastructure (Ahmed and Potter 2006, 66), which in turn has led to the “steady erosion of state [political] hegemony and credibility” (Ihonvbere 1996, 196).

In more extreme cases of authoritarian state weakness or collapse, NGOs can even replace the political authority of the state. In Haiti, where NGOs provide 80–90% of the state’s health and education services, large foreign organizations have parceled out the country into specific demarcated territories. Given the reach of the NGO sector, the national government has “ced[ed] near sovereign control to these NGO ‘fiefdoms’” (Schuller 2012, 6) and exerts little political influence in those regions. In South Asia, the Bangladesh Rehabilitation Assistance Committee (BRAC) runs tens of thousands of schools, hospitals, and other social services and has become a powerful parallel political force that often rivals the government (Ahmed and Potter 2006; Haque 2002; Stiles 2002). In these cases, regimes have lost control over the balance of political institutions and have become supplanted by the civil society sector, which in turn has weakened their hold on political power within their states.

## **International NGOs and legal restrictions on civil society**

International NGOs pose a unique challenge to authoritarian political stability. Dictators face a more limited array of policy choices for controlling foreign organizations in their countries. While it may be easy for an autocrat to harass domestic activists or incorporate local NGOs into formal governance structures, it is far riskier to do the same to foreign activists or aid workers, since international NGOs often have the legal and political backing of their home states. Accordingly, autocrats must tread carefully when dealing with these organizations. Relying on non-state actors as part of stability-seeking institutional balancing is fraught with risk. As seen previously, NGOs – both domestic and international – have real effects on domestic politics and policies and pose significant risks to the regimes that allow them to operate.



States today confront a complex mix of actors and issues on the international stage, where activists, bureaucrats, legislators, judges, firms, civil society organizations, intergovernmental organizations (IGOs), media organizations, and foreign states interact and influence domestic policy and behavior (Linos 2013; Slaughter 2004). Similar to their domestic counterparts, international NGOs can exert particularly acute pressure on authoritarian regimes, especially as they work in concert with foreign governments and domestic NGOs to pressure and shame states that behave poorly (Kelley 2017; Kelley and Simmons 2015). Domestic NGOs that are restricted, blocked, or co-opted by their government will turn to allies in the international NGO community who then lobby their home states to convince international organizations to put high-level pressure on the offending regime, thereby creating an opening for the original domestic civil society organizations to advocate for policy changes. This movement of advocacy power follows a boomerang pattern, moving from domestic NGOs to INGOs to foreign states and international organizations to domestic NGOs again (Keck and Sikkink 1998).

With repeated boomerang-like pressure from domestic NGOs and international NGOs, responses to individual issues can evolve into human rights norms, resulting in the institutionalization of new policies and practices within an offending state. Risse and Sikkink (1999) describe this process of norm socialization as a spiral, or a sequence of repeated boomerang effects. Domestic actors repeatedly turn to INGOs and transnational networks for help in their advocacy and slowly wear down the state. Initially the state denies the accusations of repression and claims that foreign human rights norms are invalid, but with repeated domestic and international pressure, the regime will begin to make concessions to the human rights network. Continued pressure helps formalize these concessions into actual legislation, and as politicians adhere to these policies they internalize the human rights norms that underpin the policies, thus resulting in long-lasting reform.

Autocrats facing spiral-like advocacy from INGOs and the international community must think carefully about how to respond in order to maintain their domestic institutional balance. For repressive regimes, ceding too much ground to international human rights advocacy can empower local dissidents and activists and threaten stability, while not ceding enough ground can pave the way for international shaming and economic sanctions. Authoritarian states engage with international civil society selectively depending on rational calculations of how that engagement might be beneficial to the regime. Autocrats tend to follow international norms on their own terms and allow INGO activities only when doing so “allows the regime to shore up its authority and legitimacy and to deflect international pressures” (Hawkins 1997, 407–8). Autocrats can use international NGOs to stabilize and reinforce their political power at home. As discussed previously, because competition for foreign patronage created an absence of strong links between Russian advocacy groups and the public, the Russian state has been able to restructure the civil society sector so that only NGOs that “work on issues that align with the national interest” receive funding and support (Henderson 2010, 254), short-circuiting international spiral pressure and silencing domestic advocacy movements.

Dictators can also respond to international pressure in more roundabout ways that appear to acquiesce to human rights norms but still provide the regime with control over the influence of international NGOs. For instance, Kelley (2012) finds that since election monitoring has become a global norm, most authoritarian governments – even those that fully intend on cheating and manipulating their elections – permit election-monitoring INGOs as a way of appearing credible and democratic to peer nations. In 2000, international aid agencies pressured Robert Mugabe to allow Western election monitors to observe the Zimbabwean presidential elections. Mugabe assented to their demands, but also invited dozens of regime-friendly monitoring NGOs who endorsed his electoral landslide as fair and legitimate. Russia followed a similar



strategy in its 2008 presidential elections, inviting election-monitoring NGOs that were based in other autocratic states. These “zombie” NGOs provide autocrats with a facade of international legitimacy (Walker and Cooley 2013). Even if large INGOs like the Carter Center condemn authoritarian elections as biased and unfair, dictators with control over domestic media can use glowing NGO reports to “spin the story to the domestic audience and to friendly governments in their regions” (Kelley 2012, 55).

However, because autocrats are rarely able to completely control and balance all rival institutions, these strategies for dealing with international NGOs have the potential to backfire. While countering objective monitoring NGOs with reports from friendly organizations does provide regimes with substantial international reputational benefits, the presence of high-quality monitors still makes it more difficult to cheat and is associated with better election quality, fewer violations of electoral law, and more incumbent turnover (Kelley 2012, 124). Rulers in competitive authoritarian regimes can and do lose elections monitored by international NGOs.

To offset the risks and reap the rewards of allowing NGOs in their countries, dictators expand and contract the legal environment for civil society in response to threats to regime stability. Authoritarian regimes tend to crack down on NGOs in response to domestic instability, civil unrest, coups and protests in neighboring countries, and other threats to institutional balance (Heiss 2017). The type of crackdown dictators impose on NGOs takes a variety of forms, though, and the decision to restrict NGOs is tied directly to political considerations. Chaudhry (2016) finds that states resort to violent crackdowns when NGOs pose immediate threats to stability, but that doing so leads to international condemnation and increased domestic unrest. When the threat from NGOs is less immediate, states instead turn to legislation, which enables rulers to more carefully regulate civil society and balance their potential destabilizing influence. This trend aligns with other research on NGO regulations in OECD countries: Bloodgood, Tremblay-Boire, and Prakash (2014) argue that NGOs face more restrictive regulations in countries where they pose more of a threat to the political order. Incorporating domestic and international NGOs into authoritarian stability-seeking calculus poses definite threats to regime safety and legal restrictions help regulate those risks.

Restrictions on NGOs have increased in both autocracies and democracies since the 1990s, but in different ways. Panel A in Figure 38.2 shows the prevalence and severity of NGO registration laws in ninety-eight countries from 1990–2013.<sup>2</sup> Both types of regimes require NGO registration – nearly three-fourths of autocracies have had formal registration requirements for decades, while democracies began increasing registration requirements in the early 2000s. Stricter registration requirements do not necessarily make life more difficult for NGOs, though, and this increase in NGO laws in democracies is likely attributable to the routinization of NGO–government relations (Chaudhry and Heiss under review). This is apparent in Panel A: NGO registration has become substantially more burdensome in autocracies than in democracies. Autocrats have passed dozens of restrictive laws aimed at limiting the scope of foreign-connected NGOs and incorporating domestic NGOs into the state. Panel B highlights the contrast of the severity of NGO regulations across regime types. The overwhelming majority of democracies impose almost no restrictions on civil society organizations working in their countries. Autocracies, on the other hand, are much more heterogeneous in their treatment of NGOs, with most imposing moderate restrictions.

Most authoritarian legal restrictions on civil society today target the funding of domestic and international NGOs from international aid agencies and foundations. Autocrats have turned to anti-NGO legislation – and foreign funding laws in particular – for multiple reasons, including increased nationalism and xenophobia, counterterrorism policies, and a “wider questioning of Western power” (Carothers 2015, 9; see also Carothers and Brechenmacher 2014). Fears of

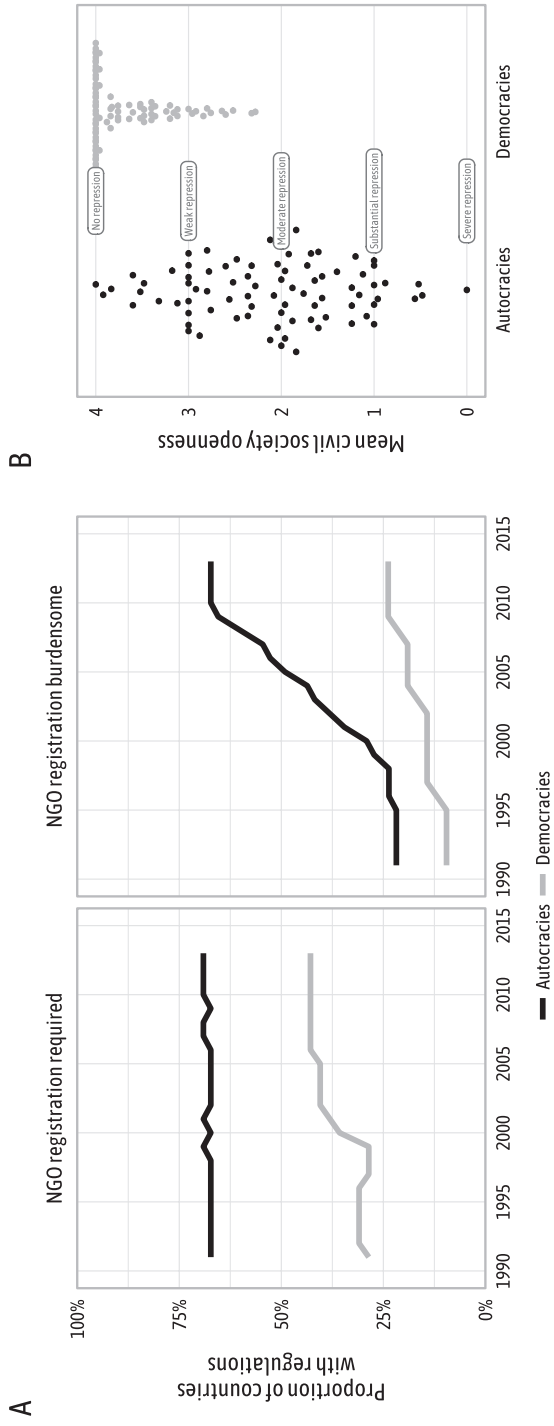


Figure 38.2 Civil society repression and regulations

foreign influence in domestic politics underlie all these factors, and the decision to limit the space for NGO funding and advocacy is tied directly to concerns of regime stability and institutional balance. For instance, Dupuy, Ron, and Prakash (2016) find that autocrats are more likely to adopt laws that restrict foreign funding to NGOs in response to increased aid flows from foreign donors, but the likelihood of legal restrictions on NGOs nearly doubles if foreign aid flows increase during competitive elections where regimes are most politically vulnerable. These anti-NGO restrictions are often effective and states are able to limit INGO influence in their countries. In the wake of its 2012 Foreign Agents law and 2015 Undesirable Organizations law, which granted the government broad authority to expel NGOs it deemed threatening, dozens of organizations have been shuttered and ejected from Russia. Similarly, Dupuy, Ron, and Prakash (2015) find that in response to anti-foreign funding laws passed in 2009, most domestic human rights NGOs in Ethiopia either closed down or rebranded and changed the issues they addressed.

## Conclusion

The ongoing constriction of civic space in China, Russia, Egypt, and elsewhere represents a broader trend of how authoritarian states relate to and regulate civil society organizations in their countries. Dozens of autocratic countries have imposed similarly harsh restrictions and NGOs will likely continue to face worsening legal environments in the future. Civil society, and NGOs in particular – institutions foundational to democratic governance – have become increasingly important for authoritarian stability. Like other democratic-appearing political institutions, NGOs behave differently in authoritarian contexts. Authoritarianism can force civil society organizations to pursue vertical linkages with the state rather than horizontal networks with society, thus strengthening the state. This close connection and subservience to the state can often effectively handicap NGOs in authoritarian states. At the same time, NGOs can act as opponents to authoritarian power, protecting human rights, promoting political reforms, and posing serious challenges to authoritarian institutional balancing. Under other circumstances, NGOs can even tip the scales of authoritarian balancing and supplant autocratic political and economic authority. Working with international NGOs adds an additional dimension to stability-seeking calculus, and autocrats have responded to this new challenge with restrictive anti-NGO and anti-foreign NGO regulations.

The dynamics of domestic and international civil society under authoritarianism is a burgeoning field ripe for additional research. Many important questions remain unanswered and deserve more attention. I briefly expose three future avenues below. First, while there is substantial research describing the conditions under which authoritarian states restrict civil society, it is unclear whether anti-NGO regulations achieve their goal of maintaining regime stability. More attention should be given to the relationship between domestic political stability and legal crackdowns on NGOs – do these laws actually help autocrats balance out other rival institutions and remain in office longer? Chaudhry (2016), Heiss (2017), and others have started to examine this question, but more work remains to be done.

Second, the definition and treatment of NGO restrictions has thus far been somewhat inconsistent due to limitations of data. Some studies (Christensen and Weinstein 2013; Dupuy, Ron, and Prakash 2016) look at the passage of laws themselves and categorize them according to the restrictions they impose on advocacy, entry, and funding. Analyzing only *de jure* laws, however, misses the on-the-ground *de facto* implementation of those laws, and the two do not always match. Until 2017, Egypt's civil society sector was regulated by Law 84 of 2002, which gave the government substantial latitude in how it could relate to NGOs. Under the provisions of this

2002 law, the Egyptian government was able to selectively expel or allow NGOs to operate. Research that only counts laws does not account for this enforcement flexibility. Newer sources of data, such as the Varieties of Democracy (V-Dem) dataset (Coppedge et al. 2018), include *observed* measures of civil society repression instead of laws and can be useful for examining the effects of the actual implementation of anti-NGO regulations. This improved data is not a panacea, though. It is exceptionally difficult to distinguish between laws that target *domestic* NGOs and *international* NGOs. With the exception of China's 2017 Overseas NGO Law, which explicitly targets international organizations, most authoritarian laws regulate both types of NGOs. V-Dem does not distinguish between domestic and international NGO repression, nor do most other data sources. Future research needs to disentangle these layers of authoritarian NGO regulations.

Third, what do these anti-NGO laws do to NGOs themselves? How do these laws change organizational behavior and programming? NGOs must balance their normative principles against the instrumental need of organizational survival. NGOs face a tradeoff between mission and money and must pursue both simultaneously (Heiss and Kelley 2017) – they must “instrumentally pursue their principled objectives within the economic constraints and political opportunity structures imposed by their external environments” (Mitchell and Schmitz 2014, 489). When legal environments are limited and restricted, NGOs face a strain on their stated mission, vision, and values. This strain is particularly acute for international NGOs, which must debate whether to (1) make concessions to authoritarian demands (and potentially compromise their values) to maintain access to the country and carry out their mission, or (2) honor their vision and values, disobey or avoid authoritarian restrictions, and run the risk of expulsion from the country. Exploring how NGOs resolve this existential debate and work around civil society restrictions is worthwhile, and results from these future studies will enable NGOs to better respond to the ongoing expansion of anti-NGO laws in authoritarian states.

## Notes

- 1 Data comes from Coppedge et al. (2018). Regime type is based on V-Dem's “Regimes of the world” index. I consider all closed autocracies and electoral autocracies as “autocracies”; all other regime types are “democracies.”
- 2 Data for Panel A comes from Christensen and Weinstein (2013), and data for Panel B comes from the “CSO repression” variable in Coppedge et al. (2018), averaged over 1990–2016. CSO repression is measured on a 0–4 scale, with 4 representing the most democratic and open civil society (i.e. no repression) and 0 representing the most restricted civil society (i.e. complete repression and liquidation of civil society). Regime type is determined the same way as in Figure 38.1.

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# NGOs and security in conflict zones

*Daniela Irrera*

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The influence exerted by NGOs in several policy fields has increasingly grown and diversified. This is true not only in those issues which are traditionally associated with an organised civil society – that is to say, human rights, development, and environment – but also in respect to the most sensitive fields, dealing with security and humanitarian action, in which states and intergovernmental organisations' (IGOs) preferences are stronger and more dominant. The perception of security has gradually changed in the last decades, in parallel to the changing nature of conflicts and crises which require more sophisticated policy responses and tools, as well as more competences.

When it comes to NGOs deployed in countries affected by conflicts, it is essential to understand how their roles and performances are rapidly changing and adapting. International Relations scholars and practitioners have extensively investigated and discussed the topic of NGOs and security in conflict zones, by producing several analyses and trends. The debate has been vastly dominated by the logistics and the legal and moral constraints that NGOs face in a troubled context. At the same time, a significant lack of empirical analysis and the fact that the topic has been mostly assessed by media and humanitarian agencies justifies the need for further and deeper research, also in respect to the theories on crisis management and conflict resolution.

The chapter is based on a theoretical framework which combines the scholarship on the NGOs' roles in the humanitarian system with the more recent contributions on conflict transformation and transboundary crises. It aims at analysing how, in the current phase of world politics, changes in security and conflicts are affecting NGOs' performances and, in particular, at replying to the following research questions:

- 1 How are NGOs reacting and adapting to the current changes in security and conflict?
- 2 What are the main features of such adaptation process?
- 3 Are NGOs' performances in line with the general transformations affecting the humanitarian system?

The chapter consists of three parts. In the first one, a discussion on the state of the art is presented, focused on (a) the changes in the nature of crises, and (b) in crisis management. The theoretical overview deepens both aspects, by listing the debate about natural and human-made disasters;

complex emergencies; the transboundary crises; integrated missions; and established and new mechanisms. The second part offers an analysis of NGOs and their performances in conflict zones, their adaptation to the transformation in crisis management and conflict transformation, their established and new roles, and how this impact the relations with states, in the context of intergovernmental organisations, particularly at UN and EU level. In the third part, the theoretical reflections on security are used to highlight the most important challenges NGOs have to face in the field, particularly moral issues (i.e. how to remain independent and neutral), legal issues (i.e. accountability), political (i.e. legitimacy), and practical issues (i.e. relations with the military). Lastly, some preliminary conclusions are summed up, in order to launch future research perspectives.

## **Understanding the changing nature of security and conflicts: a theoretical overview**

The challenges posed by security conditions in conflict zones to humanitarian workers are a sensitive topic that have always attracted International Relations scholars. The increasing involvement of NGOs in conflict management in various areas of the world and the continuous number of attacks and casualties which affect their work have made the issue more and more important not only for its logistics aspects, but also for its political and ethical implications.

Some scholars have attempted to make quantitative investigations, based on data regarding the type and number of incidents involving humanitarian personnel (Sheik et al., 2000). Some others have focused on the notion of insecurity, describing the mortality of humanitarian workers as a policy and philosophical consequence of the ways humanitarian action is conceived and applied in the current global political system (Fast, 2007). This trend has also allowed many authors to concentrate on the contextual – that is to say, the external factors which explain violence against NGOs – or to understand why some organisations are more targeted than others, or why some countries or areas are more dangerous (Slim, 1997; Bush, 1998, Beasley, et al., 2003; Duffield, 2014).

Even though it is surely a very specific topic, NGOs' performances in conflict zones need to be analysed in a broader perspective which deals with transformations occurring to security on a global and regional level. Coherently with the aims of this Handbook, this chapter intends to offer a wider and timely reflection on such theoretical trends which can apply to a wide variety of conditions and organisations.

Given that in the existing phase of world politics, security institutions and policies are undergoing a process of change, and the analysis of the relations among NGOs and institutions in humanitarian actions is simply one aspect of a very sophisticated and multifaceted system, the chapter provides a theoretical framework which combines the scholarship on the NGOs' roles in the humanitarian system with the more recent contributions on conflict transformation and transboundary crises.

International Relations scholars have extensively debated the ways through which the global political system has tried to provide security by managing emergencies and assisting people. This has produced a set of policies which are the result of interactions between governmental and nongovernmental actors and in a flow of various competences and tasks, and this is essential to understand, firstly, how the shifting nature of crises and conflicts has been investigated, using definitional efforts to identify the most operational notions; and secondly, the establishment of innovative and more sophisticated tools and mechanisms, which require additional competencies, abilities, and expertise. Both aspects of the humanitarian system are important for clarifying how security conditions in conflict zones are becoming crucial for NGOs, as a result of external and internal factors.

As for the first one, the shifting nature of crises and conflicts, many changes have been made within the world governmental system to act more collectively, by implementing and adapting traditional and new instruments, trying to avoid the exposure of masses of people to the consequences of crises.

The 'classical humanitarianism', expressed in the book *Memory of Solferino* by the Red Cross founder, Henry Dunant, was based on the fact that civilians were considered as the first unaware target of violence and they had a right to be protected by being provided with neutral and independent help. This approach, formally endorsed by the UN General Assembly in the Resolution 46/182, is at the basis of the Red Cross Movement. Traditional principles of humanity (to be addressed to the most vulnerable, wherever they are), neutrality (without engaging in hostilities or taking sides), and impartiality (without discrimination) have characterised the humanitarian system, especially since the end of the Cold War, through a process of re-definition and management of the ethical, legal, and moral consequences and challenges of humanitarian crisis response (Warner, 2013).

Principles have been developed and shaped over the decades, but have also promoted more interactions within the humanitarian system, involving a wide variety of actors, including NGOs, in order to adequately tackle the shifting nature of emergencies and crises.

International Relations scholars have widely investigated the implications of armed conflicts, natural disasters and contemporary crises by using the notion of *complex emergency* to refer to any humanitarian crisis in a country or region caused by the total or considerable breakdown of the official authority, requiring a response that goes beyond the mandate or capacity of a single actor. Such emergencies may be associated with ethnic conflict, human rights abuse, food insecurity, mass population movement, and/or displacement (Natsios, 1995; Attinà, 2012). Collective responses are needed to relieve human suffering and providing security to the system policies, but more importantly to avoid the costs of duplication and overlapping. Additionally, preliminary measures, like the preparedness and prevention of emergencies and the reinforcement of states' resilience, are required (Attinà, 2015).

Scholars who have widely analysed the notion of crisis have also offered a broader framework for understanding how new kinds of crises may impact policies. *Crisis* is generally used to label an event that marks a phase of disorder in the apparent 'normal' development of a system (Boin et al., 2005; Saurruger and Terpan, 2016). Therefore, it is something which implies the re-establishment of a condition of order upon a disturbing disorder (Boin et al., 2005).

Crisis can take several forms and affect different dimensions in a given context, but for certain, its spatial dimension is never limited to a single domain or issue. More recent analyses on the notion of 'transboundary crisis' stressed the existence of problems that plays out across one or many types of boundaries (Boin et al., 2013). If a complex emergency describes the shifting process occurring in the humanitarian system and implies the need to shape policies accordingly, a transboundary crisis better expresses the complexity of the reality and, more importantly, its practical implications (Irrera, 2018).

The major categories of human-made and natural disasters, whatever forms they may assume, definitively cross many boundaries. The management and resolution of such crises, first, require a wide range of actions, mediators, and resources, and secondly, imply long-term effects that can lead to new forms of political and social organisation and to re-shape the present security conditions.

The second feature to be considered in this chapter deals with the fact that the shifting nature of security and the diversification of crises have contributed to modifying even the main assets of crisis management. Scholars have first concentrated on military missions and interventions as vital components of humanitarian aid. In particular, the analyses on the rising of interventions

during and after the Cold War have tried to explain how military operations have gradually developed a civilian dimension, which includes new tasks and new personnel (Jakobsen, 2002). Another factor that explains the diversification of crisis management tools and the involvement of more states would be the spread of democracy. Quantitative research has demonstrated that the number of non-democratic countries participating in operations is growing, but the democratic ones are the majority. The existence of a democratic political regime increases the propensity of a state to be involved in solving a crisis elsewhere. It is in the interest of democratic states to act, as part of the multilateral system, but also for strengthening its own security dimension (Lebovic, 2004; Daniel et al., 2012). Other research has focused on the relevance of tasks which are assigned to operations, as a consequence of the diversified nature of crises, including military, political, civil, administrative, and police ones (Attinà, 2013).

Finally, research on peace operations has highlighted the nuances in the mandates and assignments, from traditional peacekeeping to the ones defined as complex missions, because of the multifaceted structure (Diehl and Regan, 2015).

Therefore, crisis management is changing in its more exploited and meaningful tool. Scholars and practitioners have used the label of *peace support operation* and *integrated peace mission* to name all-important forms of multilateral intervention for peace, security, and stability, which comprehend all developments of peacebuilding and related conflict resolution measures.

Investigations on the management of natural disasters and transboundary crises have added an ampler analytical tool. If crises are marked by high complexity and uncertainty, with regard to the problem encountered and the solutions and consequences, innovation in the actors involved and tools employed is required (Saurugger and Terpan, 2016).

The transboundary dimension produces effects that usually distress multiple sectors, groups, or countries and play out across one or many types of boundaries. Therefore, it implies a political dimension, since policymakers are expected to reduce uncertainty and develop norms and practices to resettle the conditions, despite the fact that it may not always be clear which policymakers are responsible and should intervene (Boin and Rhinard, 2008; Boin et al., 2013).

Summing up, current developments of crisis management involve the use of distinct resources, structures, and/or standard operating procedures devoted to addressing situations identified as a crisis. Meanwhile, transboundary crisis management implies the implementation of strategic activities thought to be effective in responding to crises in order to limit the impact.

Contributions offered by different scholarships are functional for the purposes of what is sustained in this chapter, through the main research questions, and are an efficient framework for explaining what is happening in conflict zones when security conditions deteriorate too much to allow NGOs to continue their work.

## NGOs in the humanitarian system: issues and practices

The theoretical framework has highlighted major changes in the global and regional context, but also the fact that this brings for NGOs deployed in the field a mixture of traditional humanitarian tasks, innovative duties as well as additional risks. Scholarship on humanitarian NGOs has contributed to understanding of these developments. Internal factors, dealing with the nature of the organisations, their approach to conflicts and humanitarian interventions, and the level of propensity to cooperate/coordinate with other actors (international and local ones), play a relevant role and should be combined with the abovementioned external factors.

The biggest problem humanitarian NGOs experienced over the years was – and still is – the extreme heterogeneity of their category, and this causes vagueness (Tendler, 1982). It is true that under the label *humanitarian*, many identities and tasks are listed, but the ways

NGOs are classified reflect their ideologies and political approaches towards security and crises and this may be useful for evaluating their impact, also in practical terms. There are also various levels through which NGOs interact with the humanitarian system. Operational and campaigning NGOs exercise actions through different methods. Operational NGOs participate directly in crises by mobilising human, financial, and material resources; carrying out projects and programmes; and offering expertise and advise. Campaigning NGOs participate indirectly by seeking for the wider public support to operations, and also by fund-raising on a smaller scale (Willetts, 2001). Stoddard (2003) has sustained that three types of NGOs can be distinguished according to identity attributes. The Wilsonian-type organisation, so named after the American President Woodrow Wilson's ideas, accepts the principles of cooperation and multilateralism as practised by governments and international institutions. The Dunantist-type organisation, so named after Henry Dunant, adheres to the principles of impartiality, neutrality, and independence. The faith-based type organisation acts in harmony with religious principles.

In order to develop a more comprehensive typology of NGOs, two organisational attributes have been merged; that is to say, the NGO's identity and principles of action, and the NGO's approach to conflict management and humanitarian intervention (Irrera, 2013). By distinguishing NGOs along with their approach towards crisis management, including propensity to work with local partners and/or international institutions, the following typology is created and applied here to understand NGOs' performances and roles:

- 1 The pragmatist Wilsonian NGOs, marked by higher propensity to coordinate with other actors, within the multilateral approach, to highly politicised missions;
- 2 The principle-centred Dunantist NGOs, linked to the idea that conflict management should, in any case, respect the basic principles of humanitarianism;
- 3 The solidarist NGOs, more focused on the root causes of conflicts;
- 4 The faith-based NGOs, specifically characterised by religious principles, like charity and compassion values.

These NGO traits translate into a richness of roles and tasks which mark the whole humanitarian process before, during, and after the crisis and are essential for understanding their performance. Thus, preventive action and mediation, traditional relief and assistance, and the increasing long-term peace builder capacity drive several specific roles. Within the humanitarian system, NGOs have increased and professionalised their roles, but always in parallel with other relevant actors. Their performances should, therefore, be contextualised and read in the broader framework of relations with international and regional organisations and states.

The innovation process shaping the humanitarian system started within the UN, settled by global events and dominated by donor governments. NGOs began supporting UN peace efforts in the 1990s, and adapted to the change humanitarian missions encountered in their aims and methods in the following years. Within the EU system, humanitarian NGOs had to face the variable of political integration and suffered a lack of institutionalisation, but at the same time, they also had several chances to grow and develop bottom-up initiatives. Within the framework of Common Security and Defence Policy (CSDP), in particular, the unique approach developed by the EU made of a separate civilian framework for crisis management, there was more room for NGOs to interact in the building up of policies, instruments, and operational experience.

What emerges from current scholarly debates is a complicated analysis of how states, international organisations, and NGOs need each other to enrich responses with more

competences and expertise to legitimise actions and to sustain multifaceted programmes and interventions.

The roles of NGOs in the humanitarian system are also marked by ambiguity. Rubenstein labels them Samaritans, describing a condition in which they have to face several ethical and legal predicaments and deal with state affairs (Rubenstein, 2015). Even though their place in the system is not under question, it is not always (and not everywhere) clear and, in reality, the provision of aid continues to be a top-down and rigid matter.

Scholars have also stressed how, facing contemporary challenges, the humanitarian system is moving towards a marketplace style, in which aid and assistance are provided by various actors (including NGOs), according to the demand and supply law. Spearin sustains that in this system an ideational side should be considered as well, with states more likely to use private security companies, because they are less concerned with neutrality and impartiality issues and NGOs more focused on 'hearts and minds' activities (Spearin, 2008). Another affirms that NGOs can sometimes follow this economic dynamic, 'selling' the aid they can provide, like multinational actors to their donors, acting as entrepreneurs towards their recipients (Bob, 2005).

The ways through which the system has been shaped and currently performed make NGOs a very controversial actor, inescapable because of their competences and expertise but often very uncomfortable for a variety of reasons.

## **NGOs and security in conflict zones: actual trends and practical implications**

The roles played by humanitarian NGOs in conflict zones can be very difficult and troublesome. So far, scholarship has stressed external factors, mainly dealing with the context of insecurity, the worsening and diversification of conflicts themselves, and security setting. However, the variety of tasks developed by humanitarian NGOs, the increasingly diversified roles they are playing, and the set of sophisticated relations they have put in place emphasise the existence of internal factors. The combination of both should be considered in the analysis of present conditions, but also for further research.

The difficulties related to conflict zones are not always empirically measured because of a lack of reliable or universally accepted data. The incompleteness of data and the consequent inaccurate reflection of the issue is also due to poor knowledge on the level, causes, and consequences of exposure to violence (Fast, 2007; Sheik et al., 2000; Barnett, 2004).

While bombings, kidnapping, and murder draw the attention of media and public opinion concerns, other issues, like rape, sexual harassment, armed robbery, or individuals caught in the crossfire, are often registered only in the NGO report to headquarters and remain under-reported. This does not allow, for example, the assessment of the causes of incidents, beyond the exposure. Some other analysts complain about the difficulty in finding accurate and comparable statistics, particularly by international agencies (Van Brabant, 2000; Sheik et al., 2000; Fast, 2007).

The Report compiled by Humanitarian Outcomes<sup>1</sup> presents data taken from the Aid Worker Security Database over the period 2006–16 and, even though it cannot be considered ultimate for the abovementioned issues, it is among the most reliable sources and allows some reflections, which are helpful to reply at least to the first two questions; that is to say, understanding how NGOs react to the decreasing security and shape their performances accordingly. Figure 39.1 presents the number of victims among aid workers in aggregate terms, including all categories of workers.<sup>2</sup> Data are disaggregated per year in Figure 39.2.

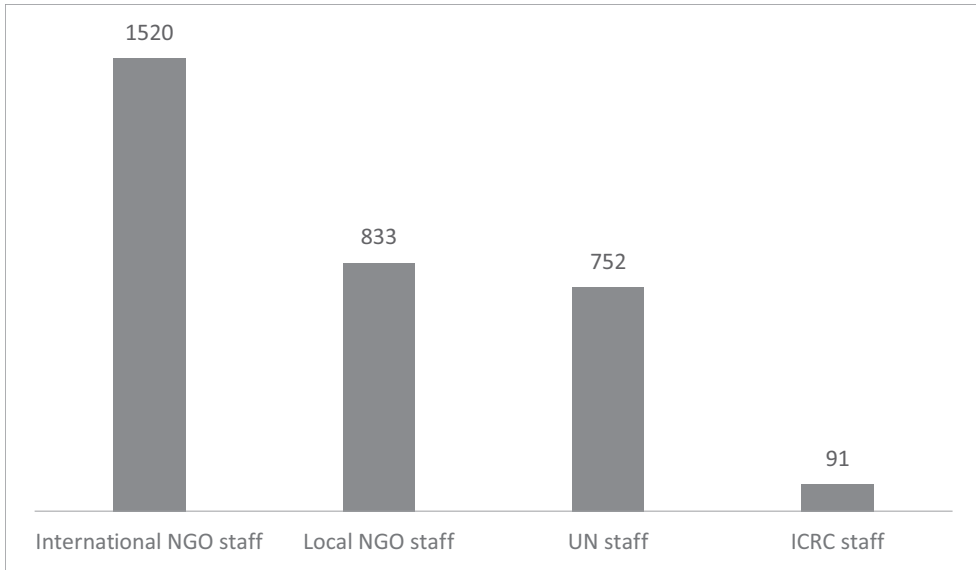


Figure 39.1 Total number of incidents concerning humanitarian workers per category, 2006–16

Source: Stoddard, Harmer, and Czwaro (2017), *Aid Worker Security Database*, <https://aidworkersecurity.org>.

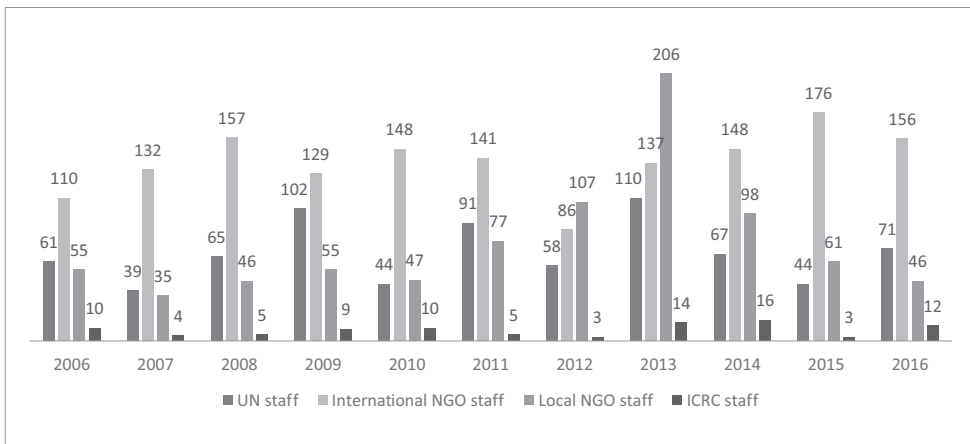


Figure 39.2 Number of incidents concerning humanitarian workers per year, 2006–16

Source: Stoddard, Harmer, and Czwaro (2017), *Aid Worker Security Database*, <https://aidworkersecurity.org>.

As the data demonstrate, incidents concerning aid workers are frequent and increasing, in parallel to the increasing of conflicts and crises. The timeline considered here is not ample, but sufficient to give an overview of such process. Comparing different categories, it is clear that NGOs’ workers are most exposed to violence, with local ones even more so. Additional data



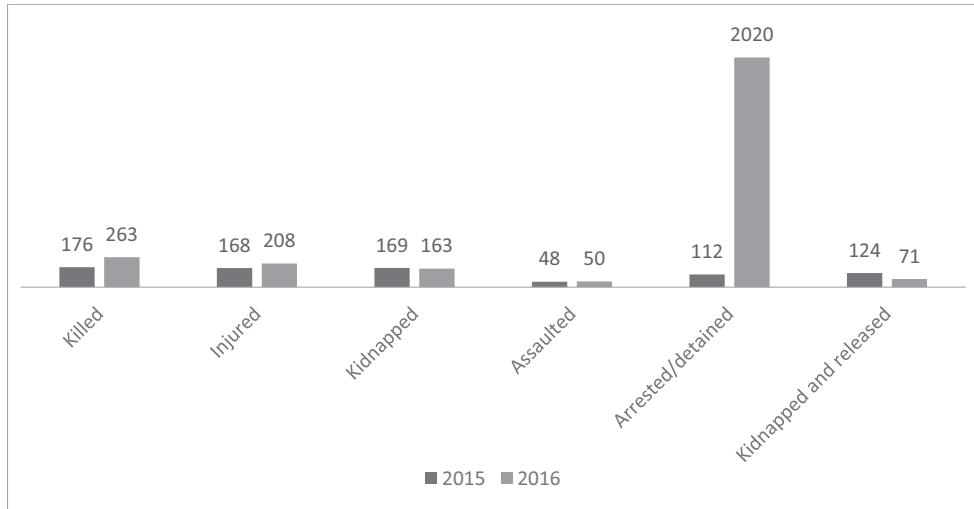


Figure 39.3 Number of incidents concerning humanitarian workers per typology, 2015–16

Source: UN OCHA, *World Humanitarian Data and Trends 2017*, <http://interactive.unocha.org/publication/datatrends2017>.

provided by the United Nations Office for the Coordination of Humanitarian Affairs report not only that incidents to aid workers have increased in the last two years, but they have also diversified in their methods.

The most interesting element, which can be seen in Figure 39.3, is the fact that, while the number of kidnappings and releases has decreased in 2016, the arrests and detentions have immensely boosted, revealing the exposure to arbitrary procedures by local police and officers, other than to violence and attacks. Data should obviously be contextualised and analysed within the specific contexts of conflicts and in respect to local governments and actors. To address this, some additional features should be considered. The perpetrators of violence are the first one. According to the Report, when violence is attributed to state actors there may be two types of victims: (1) deliberate and targeted attacks by the host state, and (2) incidents of crossfire of the host state and/or intervening powers, which may cause accidents and collateral damage (Stoddard et al., 2017).

Clearly, aid workers may fall victim to attacks by perpetrators that target all civilians, or may be affected by terrorist events which attack hotels, markets, and other crowded spaces. However, this is a minor cause and as Wille and Fast (2010) sustain, compared to other categories, humanitarian agencies are more likely to be the victims of targeted attacks in specific countries, depending on the level of violence of conflicts and the presence of the so-called non-state armed groups (NSAGs). When violence is attributed to these, it is usually deliberate and humanitarian workers are the main target. Data provided by the Global Terrorism Database on the regions in which incidents to aid workers have occurred since 1996 can provide more insights.

Figure 39.4 refers to terrorist and violent attacks<sup>3</sup> which had NGOs and humanitarian agencies as the main target. Sub-Saharan Africa and South Asia constitute the regions in which more events have been reported. This is confirmed by academic works and agency reports which have extensively investigated case studies, like Afghanistan, Iraq, Somalia, and Sri Lanka, among others. Groups like Taliban, Al-Nusra, Al-Qaida, ISIS, and Al Shabaab have been the most active and the most responsible for attacks against organisations.

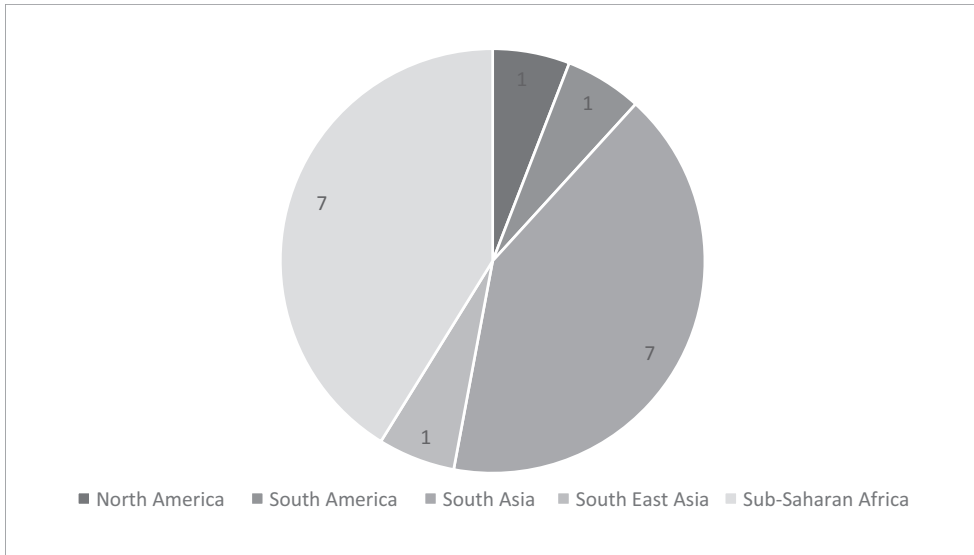


Figure 39.4 Number of incidents concerning humanitarian workers per region, 1996–2014

Source: Global Terrorism Database, 2017.

When it comes to the second feature, the motivations of violence, the collusion with the ‘enemy’ is the most claimed argument. According to the research done for the preparation of the Report, the majority of NSAGs do not consider aid agency members as spies. However, they may still suspect them of colluding with political actors, particularly because they are financially sustained. The association of aid agencies and workers to an opposing party has serious implications and is normally used to justify strikes and violence against them, and also among the local population. This particularly happens in those cases in which NGOs are strongly perceived as ‘implementing partners’ of states and international organisations, rather than neutral actors. They are therefore seen as ‘outsiders’ within international organisations; that is to say, a huge UN *hybrid* bureaucratic system which needs a set of nonbureaucratic supporters (Heins 2008). The main consequence (and problem) is that this perception may generate confusion in the roles which are played in the field. As noted by Glad (2012), armed opposition groups, especially in high-risk areas, tend to consider the UN as a party to the conflict and to bring NGOs in their fight. The attacks suffered in the last year by Médecins Sans Frontières (MSF) in Afghanistan may be read as an example of such confusion. A second consequence is that many NGOs increasingly fear that association with UN peacekeeping or highly politicised missions can damage their image as neutral actors, producing a decrease in their security. Religious transgression and violation of local codes are also claimed to justify violence, but as a secondary cause (Stoddard et al., 2017).

Finally, the third feature is the level of preparation and awareness aid workers should be provided with. As stated in all manuals and documents prepared by experts, in conflict zones, and particularly where NSAGs are present and operational, humanitarian NGOs should be aware of the risk of lethal attacks, and increase the preparation of humanitarian workers, knowledge, and awareness as preliminary crucial steps (Lloyd Roberts, 2005; Stoddard et al., 2017). This has gradually developed and diversified over the years, shifting from training on basic knowledge on logistics and skills, to the inclusion of political and strategical considerations. This complex

process of adaptation has led NGOs to be more aware of the fact that working in conflict zones also means being ready and able to interact with a variety of actors (international, national, legal, or illegal) which are inevitably essential for managing different aspects of the conflict. However, it has also worsened additional controversial issues; that is to say, moral, legal, and political dilemmas. There are two internal factors which are the result of these developments in how NGOs approach and face the conflicts and which can impact their security.

The first factor is related to international norms and principles and is both legal and ethical. NGO workers benefit from protected status, which is accorded to all humanitarian aid organisations under international humanitarian law; that is to say, the Geneva Conventions of 1949 and their Additional Protocols of 1977, to name the most important and established. One of the main achievements in global politics has been the wide acknowledgement of this, but it is likewise widely known that one of the consequences of the 'new' conflicts is the fact that, in practice, state and non-state actors have repeatedly violated this norm, with the clear majority of aid worker attacks unpunished (Stoddard et al., 2017). Additionally (and even worse), the international protection is mostly used by NSAGs to justify their violence. NGOs' deference to international humanitarian law, in fact, is considered – and presented to local populations that NSAGs aim to represent – as a guarantee of political involvement and lack of neutrality; in other words, as a sign of collusion.

Claiming the (necessary) international protection and remaining neutral is one of the most striking dilemmas for NGOs. This primarily affects the adherence and coherence of principles (first of all, the 'do no harm' principle) in their tasks in the conflicting parts, but also in the identification of logistics (transport, food, shelter, etc.) which would not bias their work and would not cause them to be perceived as biased. As Goodhand points out, humanitarian actors (including intergovernmental agencies, but also NGOs themselves) should devote more time and efforts to the development of a solid ethical framework, which allows them to adapt principles to very diversified conflict settings, like Afghanistan, Iraq, Liberia, and Sri Lanka (Goodhand, 2000). Strengthening NGOs' ethical framework to reach their humanitarian needs and goals and, at the same time, trying to avoid manipulation is an indirect cause of violence.

The second factor is related to the controlling of security and safety in the field. Scholars have stressed the distinction between security and safety, for identifying the main cause of violence and the nature of threats. Security deals with (but is not limited to) robbery, aggressive crowds, landmines, aerial bombardments, artillery fire, ambush, crossfire, and hostage taking. Meanwhile, threats to safety are mainly consequences of accidents, driving, or health issues, including sexual ones (King, 2004; Barnett, 2004; Fast, 2007).

Fast (2007) adds another relevant distinction, between ambient insecurity, referring to an indiscriminate condition of violence in a given country or region, and situational insecurity, which is rather due to a specific condition involving a specific organisation. This distinction is much more explanatory for the purposes of the analysis in this chapter and coherent with the qualities of NGOs described in the previous section.

Despite the fact the conditions of ambient insecurity can hardly be changed or modified, and because they are also dependent on local factors and other individual actors, depending on their specific nature, their approach to conflicts, and their humanitarian 'style', NGOs are more likely to intervene on situational insecurity, ameliorating or worsening it. In some cases, organisations can develop a capacity of control over some areas or fields and/or determine explicit restrictions or implicit constraints (Wood, 2006). Therefore, while they are far from ambient security, some performances can impact situational security (or safety) and make workers more likely to be exposed to violence.

The third factor concerns the dilemma between the civilian and military dimension; that is to say, the relations NGOs inevitably have with the international or national military troops deployed over the same territory. It is also a direct (and coherent) consequence of how NGOs have adjusted their performances in line with the general transformations affecting the humanitarian system.

As described in previous paragraphs, the changing nature of conflicts has produced a change even in the traditional tools of peacekeeping and peacebuilding. Integrated missions and civil–military cooperation have requested more involvement on the part of NGOs, but also created a controversial debate on the suitability of interact with military forces, deployed in the field, both on a wider ethical side and on a more practical one.

Those missions, which are specifically conceived for achieving civilian goals or which are the result of large coalitions and benefit from high international legitimacy, can create a better protected environment, from which NGOs can value as well as work more proficiently. Empirical research has demonstrated that the reality may be quite complicated and that working on the same conflict in the same territory has pushed NGOs to oscillate among a wide variety of interactions with military force, going from no contact at all, to advice and technical support, until there are some forms of dialogue and coordination. It is true that any contact, even for only fulfilling practical tasks or on an occasional basis, can alter an NGO's approach and make them more visibly associated with the enemy parts. However, the necessity to continue their work in safe conditions is one of the reasons for establishing such informal or sometimes formal practices of cooperation, depending, most of the time, on local conditions and on personal relations with individual officials.

The final factor which will be discussed at the end of this chapter, to sum up the main findings and replies to questions, is the last resort or the biggest form of adaptation to local conditions without undermining their mission; that is to say, the practices established by NGOs in those cases in which local conditions are so difficult and bad that their humanitarian work is no longer allowed. In October 2017, the International Committee of the Red Cross announced a significant reduction of its personnel in Afghanistan, following a series of violent attacks (BBC, 9 October 2017). This is an example of specific practices developed by NGOs over the last years, in facing the decrease in security. While a complete suspension of activity is a drastic decision which may impact the organisation performance and the humanitarian work already provided, a reduction is a practice which has become more common to several NGOs. Scholars have analysed how, far from being a mere practical decision, reduction is a shift in the approach which may cause political and ethical issues.

Stoddard, Harmer, and Renouf (2010) use the term *remote management* to name an operational response to insecurity, which involves the drastic reduction of international and sometimes national personnel from the field, transferring larger programme responsibilities to local staff or local partner organisations. The variety of implications it may produce is quite large. On one hand, it affects one of the most important added values aid workers may provide, the direct monitoring of project implementation and coordination with similar ones. On the other, it requires the consideration of several unforeseeable variables, like the criticality and sensitivity of the programmes, the feasibility of technical aspects, and the expertise and availability of local partners (Stoddard, Harmer, and Renouf, 2010). In the short and long term, remote management can also affect the relations with donors and the coordination mechanisms with international organisations and agencies.

Even this last practice is clearly a side, inevitable, and (probably) unintended effect of how the humanitarian system and the crises it has to face are changing.

## Crucial actors in a changing world

At the end of this analysis, the topic of security of conflict zones and the implications this has for NGO work is an extremely urgent one. The media always report on attacks launched against humanitarian workers in various conflict areas. Many NGOs decide to continue, despite the seriousness of their working conditions, while some others sometimes prefer to reduce their commitment. The humanitarian system is facing a huge dilemma. On the one hand, the increasing complexity of conflicts and crises requires additional efforts and more civilian expertise, while on the other humanitarian workers appear as more and more vulnerable and exposed to more risks.

What is sustained here is that the current conditions in which NGOs operate are a mixture of external and internal factors, which are basically due to the changes in security and conflicts. Therefore, in parallel to external factors, due to the changes in global security, in the effects of contemporary conflicts, and in the tools and competences to tackle, the likelihood that NGOs' workers may be exposed to violence is also due to a series of internal ones, related to their own humanitarian identity and approach which influence their performances.

Among the big community of aid workers, NGOs remain the most controversial. On the one hand, they are provided with competences and expertise the humanitarian system cannot do without. On the other, they bring a very heavy legal, ethical, and political burden. The same applies to NSAGs responsible for violence. In their view, NGOs are helpful actors which may facilitate their cause and alleviate people's needs. However, their (sometimes) ambiguous performances and the hybridity of their nature and tasks make them look like worrying parties.

Despite the visibility of attacks in media reports, problems encountered by NGOs in conflict zones remain an under-researched and undervalued issue, which deserves more attention from scholarly and political points of view.

As for the first one, the topic clearly requires more empirical and theoretical research, even though scholars from the International Relations and Security Studies community have greatly contributed to investigating the causes and consequences of violence attacks and their correlation with the most striking contemporary conflicts. More comparative analysis as well as broader research are needed to sustain knowledge and highlight its developments.

As for the second one, the strengthening of security conditions for NGOs, as well as for other aid workers, should enter the political agendas of international and regional organisations and be part of debates on conflict management and external interventions. Additionally, it should become a concern for all major humanitarian agencies and NGOs themselves to promote a broader and collective reflection on the actual preparation of workers and the dynamics of mission tasks.

This is clearly a problem which cannot be definitively solved and which is part of the game. The more conflicts diversify, the more NGOs will be needed and requested. The more NGOs are involved in the field, the less secure their working conditions will be. Far from being totally neutral or totally distant from political constraints, this is an additional manifest aspect of the controversial and relevant role NGOs play in contemporary world politics.

## Notes

- 1 Humanitarian Outcomes is a team of consultants and former aid workers, aiming at providing advice to agencies and governments. The Aid Worker Security Database (AWSD) is one of their projects. It is used in this chapter as a reliable and non-political source.
- 2 In AWSD, major incidents include killings, kidnappings, and attacks that result in serious injuries. 'Aid workers' are the employees and associated personnel of not-for-profit aid agencies (both national and international). This includes NGOs, ICRC, the UN agencies belonging to the Inter-Agency Standing Committee on Humanitarian Affairs (FAO, OCHA, UNDP, UNFPA, UNHCR, UNICEF, UN-Habitat,

WFP and WHO), plus IOM and UNRWA. This does not include UN peacekeeping personnel, human rights workers, election monitors, or advocacy organisations. <https://aidworkersecurity.org/about>.

- 3 According to GTD, a terrorist attack is ‘the threatened or actual use of illegal force and violence by a non-state actor to attain a political, economic, religious, or social goal through fear, coercion, or intimidation’.

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# NGOs and the challenge of global terrorism

*Omi Hodwitz*

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## **Introduction**

The attacks on the United States on 11 September 2001 (9/11) changed the face of terrorism and counterterrorism. They reshaped narratives surrounding security and society, created a climate of fear and suspicion, vilified particular communities and their representatives, and generated a backlash effect that was felt in many sectors of civil society. This chapter focuses on non-governmental organizations (NGOs) and the challenges they face in the age of global terrorism. The chapter begins with a brief introduction to contemporary terrorism. This is followed by a discussion of specific challenges, including those that (1) originate from terrorist organizations and (2) originate from counterterrorism measures. The former revolves around issues of NGO safety and security. NGOs are at increased risk of violence as terrorists seek to acquire NGO resources, question their neutrality, and view them as competitors for constituent support. Regarding counterterrorism measures, many of these have hindered NGO operations through the creation of legal hurdles, discriminatory practices, and administrative and donor uncertainty.

## **Global terrorism today**

Discussions of terrorism usually begin with a definition. This is an act of necessity; no universal definition currently exists and different nations and interested parties attach their own meaning to the concept. Areas of disagreement arise around issues of definitional exclusivity: for example, should state-sponsored terrorism, insurgencies, and criminal activities carried out by extremist organizations be included in discussions of terrorism? For the sake of simplicity, this chapter uses a definition that is common among academics and researchers. Specifically, terrorism is the intentional use of violence or threat of violence by non-state actors aimed at achieving a political, social, economic, and/or religious goal (LaFree & Dugan, 2007). Terrorist acts are carried out with the intention of intimidating or coercing a larger audience and they fall outside the parameters of international humanitarian law.

In addition to a definition, discussions of contemporary terrorism also tend to begin with the 9/11 attacks, despite the fact that terrorism has been a pressing issue for some time. Rapoport (2004), for example, posits that there were four waves of terrorism dating back to the end of the 19th century. The first wave originated with anarchists in Russia, followed by anti-colonial and New Left terrorism. Rapoport suggests that the fourth and most recent wave is religious in nature, beginning in 1979 and inspired by the Iranian Revolution. While there is tremendous value in exploring the earlier waves of terrorism, the task of this chapter is to focus on contemporary challenges; therefore, we will direct our attention to the fourth wave of terrorism with an emphasis on the post-9/11 period.

Within the definitional and temporal boundaries described above, modern-day global terrorism has a number of notable characteristics. First, terrorism trends have fluctuated dramatically over the last several decades. As illustrated in Figure 40.1, annual counts of terrorist attacks remained relatively consistent until 2011 when they rose dramatically to peak in 2014 before beginning a decline.<sup>1</sup> Second, as illustrated in Figure 40.2, much of the increase in recent years has occurred in four regions: the Middle East and North Africa, South Asia, Southeast Asia, and Sub-Saharan Africa.<sup>2</sup> Together, these trends suggest that terrorism is more prevalent now than it was in previous decades and tends to be localized to specific regions. It is important to note that, in 2016, the highest number of attacks occurred in Afghanistan, Pakistan, Iraq, India, and Yemen; areas that also experience high levels of conflict and poverty. This becomes particularly relevant when discussing NGOs in light of the fact that a great deal of humanitarian and human rights work also takes place in these conflict-ridden and impoverished areas.

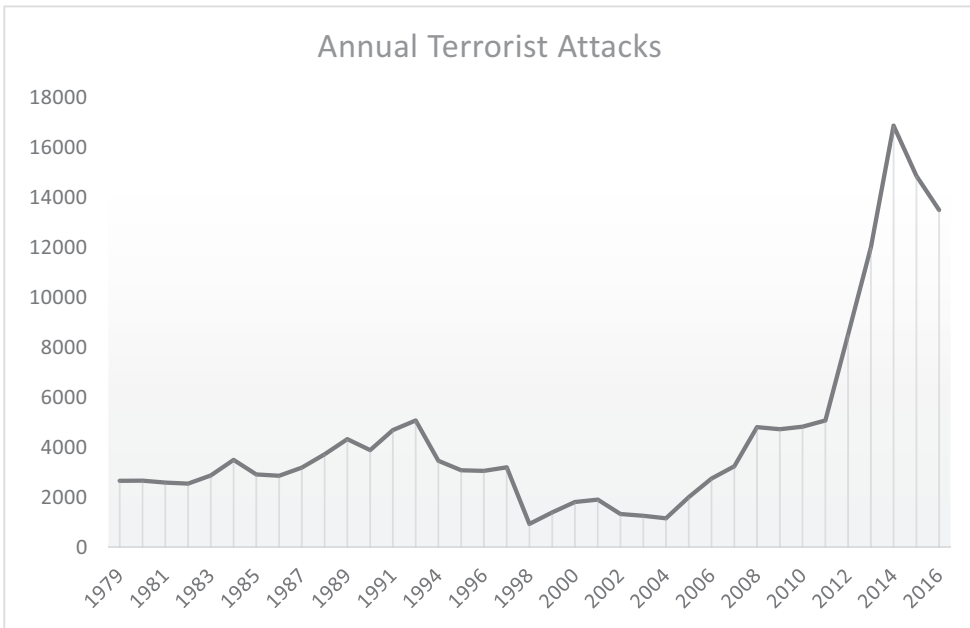


Figure 40.1 Annual number of terrorist attacks, 1979–2016

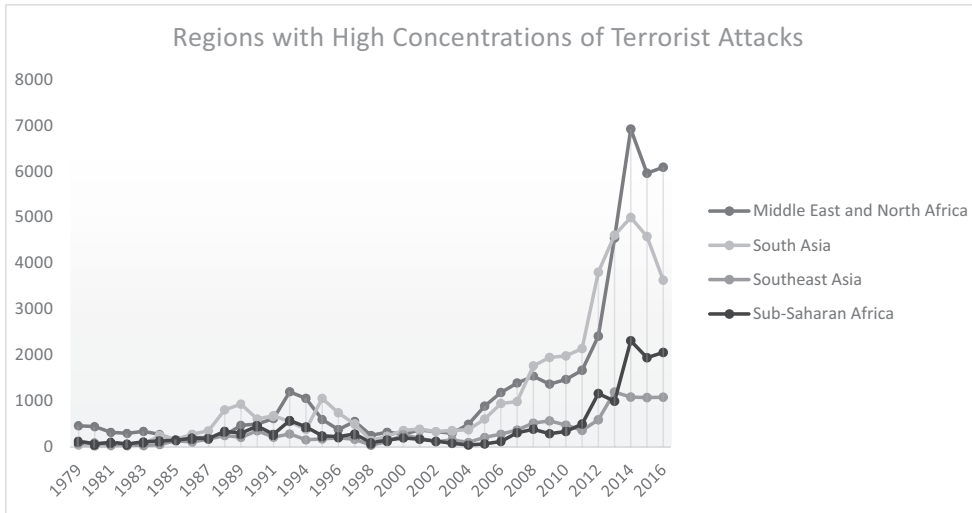


Figure 40.2 Annual number of terrorist attacks in regions with high levels of terrorism, 1979–2016

## NGOs and terrorism

Similar to global trends in terrorism, attacks targeting NGOs have increased in recent years. As illustrated in Figure 40.3, rates fluctuated unpredictably until 2007 when incidents rose dramatically. In the decade leading up to 2007, there were approximately 16 attacks targeting NGOs per year; in the decade following 2007, this number increased by nearly 300 percent to an average of 45 attacks per year. Hoelscher and colleagues (2015) note that there are two likely reasons for this: first, there is an increase in the number of NGO employees and volunteers in the field which increases the absolute number of attacks and, second, a small number of countries are driving the overall increase in attacks, where both the absolute number and the averages are trending upwards. Fast (2010) confirms that the absolute number of NGO representatives has been increasing but posits that, absolute numbers aside, the global rate of violence against NGOs has been escalating since 2007. In other words, ‘the number of victims relative to the estimated total number of aid workers (the attack rate) continues to rise’ (Humanitarian Outcomes, 2014).

Fast’s (2010) position is supported by empirical research. Evidence suggests that attacks targeting NGOs are not randomly distributed; an increase in these incidents does not simply reflect the fact that there are more workers in the field who may inadvertently get caught in the crossfire of an ongoing conflict. Murdie and Stapley (2014) demonstrated that, as the number of NGOs increases, so too do terrorist attacks targeting them. However, this relationship is isolated to human rights organizations, not humanitarian NGOs, suggesting that extremist groups are selective in their targeting choices. Hodwitz (2018) found that, in Afghanistan and Somalia, an increase in specific NGO activities, including media and campaign work, led to an increase in terrorist attacks targeting NGOs, suggesting that attacks on NGOs are an intentional response to NGO efforts. In other words, these studies suggest that specific NGOs engaged in specific work elicit a targeted violent response.

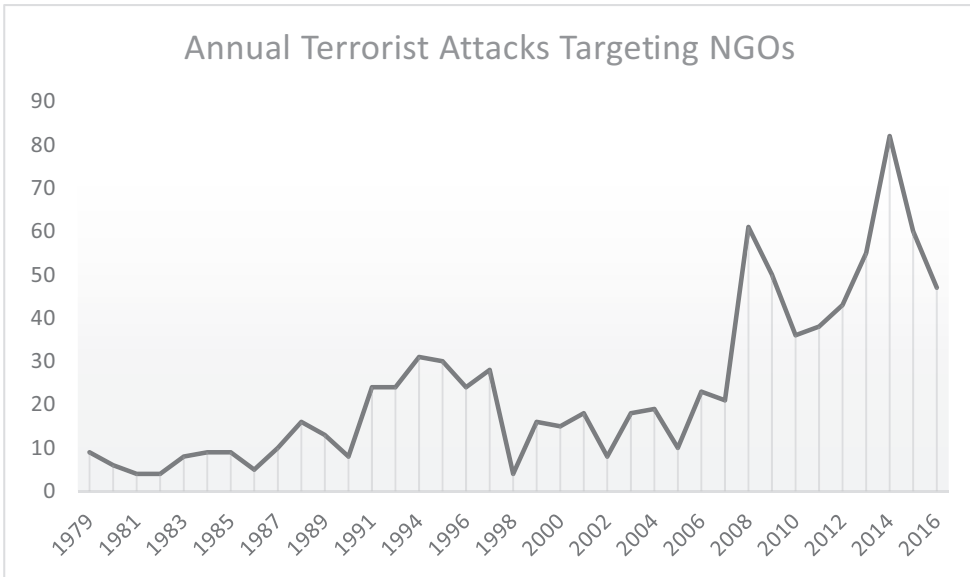


Figure 40.3 Annual number of terrorist attacks targeting NGOs, 1979–2016

The increase in attacks targeting NGOs is likely the result of a number of factors. First, as terrorist groups grow and evolve, they require more resources, some of which can be supplied by civil society, thus making NGOs an appealing target. Second, concerns regarding NGO neutrality and independence from government and military bodies have become more prominent post-9/11, giving terrorist groups reason to challenge NGO intentions and motives. Third, NGOs often work with and advocate for the same constituents that terrorist organizations purport to represent and support, creating a potentially competitive dynamic. Each of these factors has contributed to an environment of charged political animosity, putting humanitarian and human rights workers at increased risk of political violence.

### ***NGOs as resources***

There are a number of ways in which a terrorist organization can use NGOs as a means to acquire resources and replenish depleted supplies. In many circumstances, NGOs are the unwilling recipients of direct physical violence, such as when terrorists raid aid distribution sites and kidnap workers for ransom. In other situations, NGOs may be threatened but not experience physical violence, such as when they are forced to pay a terror tax in order to access and operate in a conflict area. Regardless of whether the interaction results in violence, these scenarios place NGO workers at risk, hinder operational capabilities, and redirect much-needed support from displaced and impoverished populations to extremist groups.

Arguably one of the more debilitating threats to the NGO functionality in conflict areas consists of attacks on their aid and supplies, often the sole purpose of their presence in a specific region. Since 2000, the majority of humanitarian aid has been directed to areas marked by political conflict; areas also inhabited by terrorist and rebel organizations (Global Humanitarian Assistance, 2013). In these regions, refugee camps and aid stations are often equipped with large quantities of materials, including food, vehicles, money, and medicine. Terrorist organizations

in these regions, whether due to a shortage of goods and materials or simply a desire to stockpile supplies, will engage in a variety of techniques in order to acquire these resources. NGO sites become attractive targets and, as such, have been the subject of looting and targeted attacks. A Yemeni official, for example, reported that extremist groups had carried out at least 48 raids on humanitarian aid and relief sites in the country in 2017 alone (Asharq Al-Awsat, 2017). Along the same lines, Syrian officials report that rebels loot aid sites and then sell the supplies to Syrian civilians for inflated prices (Press TV, 2016). In addition to the loss of resources, NGO workers and civilians at these locations become vulnerable targets and may be subject to physical violence as terrorist groups seek to commandeer key resources. Wood and Sullivan (2015) found that the introduction of aid to an area doubled terrorist violence directed at civilians and an increase in pre-existing aid led to a 25 percent increase in terrorist attacks.

In addition to looting and raids, terrorist organizations have found other ways to cull resources from NGOs. Although terrorists use a number of tactics, NGO workers are subject to more kidnappings than any other kind of attack. According to the Global Terrorism Database (2018), there were 290 politically motivated kidnappings of NGO workers and affiliates between 1979 and 2016 and at least one quarter of these were paired with a ransom demand. In many cases, these demands involved millions of U.S. dollars, making payment an unlikely outcome and increasing the chances that captives would be killed. Khalil Rasjed Dale, a British member of the International Committee of the Red Cross (ICRC), provides a ready example. He was kidnapped in January 2012, in Quetta, Pakistan, where he was managing a health program for the ICRC (International Business Times, 2012). The Tehreek-e-Taliban claimed responsibility for the incident and demanded a ransom of \$30 million USD. Khalil Rasjed Dale was killed when it became apparent that the ransom was not going to be paid. His story is not unique; similar incidents involved Kayla Jean Mueller and Peter Kassig, both from the United States, and Heinrich Wolfgang from Germany, to name but a few. While many of these kidnappings may not result in payment, enough end in an exchange of funds to make it a lucrative tactic. As such, many of the largest terrorist organizations, such as the Islamic State, Al-Shabaab, and Boko Haram, have used it as a method of acquiring finances and other resources.

Taxes and payments are a final means by which terrorist organizations can access NGO resources. NGOs are often subject to a terror tax. In order to ensure safe passage through a contested region or to operate in a terrorist-controlled area, NGOs are required to pay rebel groups. Jackson and Giustozzi (2012) report that NGOs in Afghanistan are taxed 10 percent by the Taliban. Al-Shabaab has set up a similar system of revenue collection in Somalia. As one Al-Shabaab collector noted,

We also want resources and they [NGOs] are among the few available resources. We don't charge them [the] same, some we charge 30 per cent, 25 per cent, 20 per cent, 15 per cent and 10 per cent. The difference is based on trust of what they tell us, how long they have been working with us, how much we can depend on them when it comes to voluntary contribution and how we trust them not spying [on] us or related to our enemies.

*(Humanitarian Outcomes, 2014, p. 15)*

NGOs may also be required to supply extremist groups with medical assistance, food, shelter, vehicles, and occasionally hire selected terrorist members. A failure to do so can result in violence directed toward NGO representatives. In the words of one Taliban commander, attacks against aid agencies are carried out because 'they didn't accept our rules and regulation, they didn't pay our tax, they came to our areas without permission' (Jackson & Giustozzi, 2012, p. 15).

### ***NGO neutrality and independence***

NGO workers are at risk when their neutrality is questioned. Historically, many NGOs have been able to access conflict areas because they were believed to be impartial parties in an ongoing political dispute. However, a series of factors have called into question the independence of NGOs, resulting in the belief that these organizations are politicized or manipulated by government and military forces.

Both government and non-governmental representatives contribute to the blurred lines between NGOs and government organizations. Many NGOs accept government funding, often without establishing conditional boundaries on its use, thus giving the impression that their work is part of the donating government's agenda (De Torrente, 2004). During the Iraq War, for example, NGOs were advised to emphasize their ties to the Bush administration if they wanted to secure U.S. funding and many complied (Fast, 2014). In areas such as Afghanistan, the government is administratively weak and unable to provide the services needed by the citizenry and, oftentimes, although NGOs attempt to distance themselves from those in power, NGOs will step in and provide support where the state has failed, effectively ensuring the government remains in a position of power (Narang & Stanton, 2017). In these circumstances, it can appear that NGOs are supporting the government. In many cases, interactions between NGOs and the military have increased, including the provision of military escorts for NGO workers in conflict areas, thus giving the impression that NGOs are working with the military. In addition, many international NGOs originate in countries that provide troops to coalition forces that counter terrorism and, thus, are assumed to share the values and ideals of their home governments.

These tenuous links between NGOs and political entities are exacerbated by government actions and statements. In 2001, United States Secretary of State Colin Powell stated that 'American NGOs are out there serving and sacrificing on the front lines of freedom. NGOs are such a force multiplier for us, such an important part of our combat team' (as cited by Ly, 2007, p. 181). In 2009, Richard Holbrooke, the United States envoy to Pakistan and Afghanistan, stated that NGOs supplied 90 percent of the intelligence on the Taliban (Fast, 2010). In some areas, the aid emblem on delivery packages is replaced with a state flag and a nationalist declaration (Ly, 2007). In Afghanistan, military forces have occasionally disguised themselves as aid workers, distributing pamphlets that stated that supplies and support would be provided in exchange for information about the Taliban (Terry, 2011).

These measures have tarnished the reputation of NGOs, giving terrorist groups the impression that NGOs are indistinguishable from the government or military. As one Taliban commander stated when discussing NGOs, 'when we became convinced that our support for them resulted in benefits for the current government and Americans, we started opposing them' (Jackson & Giustozzi, 2012, p. 24). In the same set of interviews, another commander decried 'even a small child can see that such NGOs are American spies and only working against the Taliban' (p. 16). A former social affairs officer for Al-Shabaab (AS) reported that the group

believes that all NGOs work for spying agencies and it is AS policy to make it difficult for NGOs to work in AS controlled area. They say they are here for humanitarian purpose but what they are actually doing is spying, measuring the land and reconnaissance.

*(Humanitarian Outcomes, 2014, p. 13)*

These sentiments and others like them suggest that terrorist organizations view NGOs as active and willing participants in a political game and, as such, deserving recipients of violent action.

### ***NGOs as competitors***

Terrorist organizations are inherently competitive entities; their survival depends on it. In order to endure, these organizations rely on a number of factors, including the support of a constituency or local population. The public provides recruits, material support, and bargaining power and, in many cases, the organization purports to exist in order to advocate for a disadvantaged or oppressed community. A failure to win or maintain the support of the population can lead to the demise of a terrorist group, as is evident in the downfall of a number of terrorist organizations (Cronin, 2009). Scholars have noted that one of the primary rivals for constituent support is other terrorist organizations, leading groups to use increasingly violent means of political expression as organizations vie to present themselves as the more formidable ally (Bloom, 2004). Suicide bombings, for example, increased in the Palestinian region and in Sri Lanka as rival terrorist organizations sought to outbid each other for constituent support. However, terrorist organizations are not the only competitors; NGOs present a less visible but potentially equally threatening challenger for public support and allegiance.

There are a number of ways that NGOs challenge terrorist organizations. On one level, human rights NGOs offer a nonviolent and effective advocacy alternative for oppressed constituents. History indicates that a nonviolent strategy is more likely to succeed than a violent one; communities that struggle for autonomy, territory, and cultural and religious freedoms are more likely to accomplish their goals if they align themselves with advocacy NGOs than with terrorist groups (Chenoweth & Stephan, 2011). If the public is aware of this, NGOs become a legitimate rival for constituent support. In addition, human rights groups may advocate for reconciliation and, if the public attends to this message, this will threaten terrorists' ability to mobilize the population. Finally, advocacy groups may actively campaign against terrorist organizations, signaling a zero-sum game between themselves and extremists. Amnesty International, for example, often campaigns against terrorist groups they accuse of committing war crimes (Amnesty International, 2017). As such, human rights organizations are viable contenders for constituent support and this can lead to a violent response from terrorist groups.

On another level, humanitarian organizations often provide aid and services that reduce citizen dependencies on rebel groups (Narang & Stanton, 2017). As mentioned previously, oftentimes weak governments cannot provide all of the services required by a population and NGOs may fill these gaps. This bolsters the legitimacy and strength of the government, reduces citizen dissatisfaction, and decreases incentives for constituents to support terrorism. Within this context, attacking NGO workers is an appealing strategy if it will cause NGOs to withdraw, remove their support and services, inflict hardships on the constituents, and, ultimately, increase support for terrorist organizations. As one former Al-Shabaab commander put it, a group will 'believe the aid organisations work against them by creating segments of society that do not need AS at all' (Humanitarian Outcomes, 2014, p. 14).

### ***NGO responses to threats and violence***

In the face of escalating violence, NGOs have responded in a number of ways. The least disruptive response is the 'soft acceptance approach', whereby NGOs emphasize the humanitarian nature of their activities while attempting to forge relationships with violent groups. Critics suggest that this strategy is unlikely to be successful, positing that 'aid organisations are being attacked not just because they are perceived to be cooperating with Western political actors, but because they are perceived as wholly a part of the Western agenda' (Stoddard et al., 2009, p. 6). These scholars point out that NGOs that attempt to disassociate themselves from a political agenda continue to be victims of political violence.



Many organizations have hired security advisors or risk management specialists and have increased the security of their compounds and their staff members. On-site NGO workers now undergo field-security training, with an emphasis on skills such as spotting anomalies, observing neighborhood changes, and interpreting relatively innocuous events as points of potential danger (e.g., a car accident on the side of the road could be an opportunity for a car-jacking) (Duffield, 2012). Increasing security may also mean retreating into Green Zones (heavily defended complexes of embassies and United Nations facilities) and heavy fortifications, including razor wire, entrance tunnels, and blocked roads: a process of 'bunkerization' (2012, p. 477). Unfortunately, increased security often consists of a military presence, which can further exacerbate perceptions that NGOs are working in partnership with the military. In addition, retreating behind walls and adopting a risk-sensitive interpretation of contextual cues can hinder NGOs' abilities to integrate and build relationships with local communities.

Select NGOs have also downplayed their local profile, minimizing their visibility to terrorist groups. This may involve adopting a more discreet presence, limiting travel in conflict areas, and keeping worker numbers low. Following the Iraq War, for example, NGOs uniformly adopted a culture of limited visibility in Iraq in order to avoid being targeted. According to the NGO Coordination Committee for Iraq (NCCI), this was met with limited success; attacks continued but, likely due in part to an attempt to remain invisible, these attacks went underreported and undercounted (Zwitter, 2010). In addition to impacting the accurate tracking of violence directed toward NGOs, minimizing presence also limits the ability of these organizations to operate at their full capacity.

International NGOs may introduce remote management as they subcontract some of their tasks to local NGOs (Stoddard et al., 2010). The organization will transfer some of its responsibilities to local groups, operating from afar while also removing some portion of its on-site membership in order to keep them out of harm's way. Most, if not all, of the major international NGOs have engaged in some form of remote management, some on a temporary basis and others as standard operating procedure. While this minimizes the harm directed toward international staff, it has a number of shortcomings. First, it can be difficult to return to on-site programming once remote management has been implemented. Second, it increases the chances that terrorist groups shift their perceptions of bias and competition from international organizations to local organizations. Lastly, the quality of the services and aid provided and the efficiency and accountability of the NGO program can be compromised during and after a switch to remote management.

Finally, many NGOs have been forced to withdraw from conflict areas when faced with diminished staff safety. The ICRC, an organization renowned for its neutrality and impressive humanitarian efforts, provides a ready example of this outcome. At the end of 2017, the ICRC closed two offices and downsized a third following several attacks in Afghanistan during the previous year (ICRC, 2017). In 2015, the ICRC was forced to withdraw from its humanitarian compound in South Sudan after the compound was raided and staff members were threatened (ICRC, 2015). The year prior, the ICRC withdrew staff members from Libya after one member was executed (The Guardian, 2014). In 2013, the ICRC pulled staff from Afghanistan following a suicide attack on their Jalalabad compound during which one staff member was killed (Radio Free Europe, 2013). The ICRC is not the only NGO forced to respond this way; Médecins sans Frontières (MSF), the Danish Refugee Council (DRC), and Oxfam, to name but a few, have all withdrawn from areas with high levels of terrorism due to concerns for staff safety. Withdrawal is an extreme measure that may protect NGO workers, but debilitates any further NGO efforts in the area and devastates local populations who rely on NGO support.

### ***NGOs confronting terrorism***

As described above, many NGO responses to terrorism have been designed to secure workers and facilities, but civil society has also directly and indirectly confronted terrorism in order to protect the general public, destabilize politically violent groups, or seek peaceful resolutions to terrorist campaigns. One aspect of this involves simply fulfilling an organizational mission: these groups deliver aid and services to areas and communities that have been ravaged by terrorist attacks, thus offsetting the effects of terrorism. Humanitarian organizations like Mercy Corps and Oxfam provide support to terrorist-stricken regions like Somalia and Syria despite the risk imposed by local terrorist groups. This improves the lives of the impacted citizenry and diminishes the consequences of political violence.

Human rights organizations also actively campaign against terrorist organizations in order to turn public opinion against these groups. Through lobbying efforts, demonstrations, and educational initiatives, groups like Amnesty International and Human Rights Watch seek to mobilize the general public and put pressure on the government to address the grievances underlying terrorist movements, to crack down on political violence, and to engage in diplomacy and negotiations when appropriate. Also, as mentioned previously, human rights organizations can offer an attractive alternative for oppressed constituencies who are seeking allies. Historically, nonviolent organizations have been effective at gaining freedoms and autonomies for communities pursuing recognition, liberation, and grievance resolution (Chenoweth & Stephan, 2011). Terrorist organizations may purport to represent these same communities. By advocating for oppressed persons, human rights organizations are contributing to the destabilization of terrorist groups by offering an effective and nonviolent alternative to terrorism and, thus, shifting the allegiances of a constituency away from militant groups.

Lastly, NGOs may become involved in peacebuilding, a process that focuses on establishing and sustaining peace by addressing underlying causes or grievances. Peacebuilding involves conflict reduction or resolution through contact and cooperation, addressing prejudice, reconciliation practices, mediation, and related activities. 3P Human Security and similar NGOs have become involved in a variety of peacebuilding activities, including mediation work with terrorist groups, sending militant members who have taken part in successful peaceful resolution processes to areas to serve as mentors and teachers for groups that are considering mediation, and offering non-violence and mediation trainings to religious and academic authorities in conflict areas (Boon-Kuo et al., 2015). Although still rare, NGO-led peacebuilding activities are increasing.

In sum, one of the more pressing contemporary challenges faced by NGOs is real or threatened physical violence at the hands of terrorists. Terrorist organizations are dramatically escalating their attacks targeting NGOs, fueled by a number of factors, including a desire to acquire NGO resources, distrust concerning NGO neutrality, and perceptions that NGOs are competitors. Terrorist attacks on NGO targets have been debilitating for civil society. They have depleted NGO resources and caused NGOs to withdraw from conflict areas. In addition, attacks have resulted in hundreds of deaths and injuries. NGOs have responded by advertising their impartiality, securing their workers and their facilities, or withdrawing or hiding their presence in conflict areas. They have also responded by campaigning against terrorist organizations, campaigning for oppressed constituencies, facilitating peacebuilding activities, and delivering support to communities affected by terrorism, all the while increasing the risk posed to NGO workers. Perhaps it is no surprise then that, in 2010, the Australian Council for International Development ranked humanitarian aid worker as one of the most dangerous careers in the world.

## **NGOs and counterterrorism**

Terrorism certainly creates challenges for NGOs, but so too do counterterrorism efforts. Following 9/11, there was a notable shift in the field of international and domestic counterterrorism policy and practices. A number of restrictions, guidelines, and regulations were altered, introduced, and implemented, many of which directly or indirectly targeted NGOs. These restrictions were based on the assumption that NGOs are particularly susceptible to being manipulated by terrorist organizations and, therefore, are in need of additional monitoring and control. Authorities feared that extremist groups would hide behind NGOs or use them to funnel funds into violent campaigns (Hayes, 2017). As such, international bodies, including the United Nations (UN) and the Financial Action Task Force (FATF), introduced a series of recommendations and regulations designed to eliminate terrorist affiliations with NGOs. The new restrictions affected NGOs in a number of ways, including inserting legal roadblocks that encumbered timely progress, limiting access to donors and financial services, and hindering operations on the ground.

### ***The United Nations***

The United Nations (UN) Security Council's counterterrorism resolution 1373 is particularly relevant for NGOs and other civil society members. Resolution 1373 was implemented following 9/11 and requires all nations to introduce laws that criminalize terrorism and the support of terrorism, including freezing the assets of any party that commits terrorist acts or is associated with terrorist groups and individuals (United Nations, 2001). Resolution 1373, however, has been criticized on a number of fronts, including definitional ambiguity and unrealistic compliance requirements. Regarding the former, Resolution 1373 fails to provide a specific definition of terrorism, instead allowing states to implement their own definition. As noted by the UN Special Rapporteur on the Promotion and Protection of Human Rights and Counterterrorism, the freedom to define terrorism holds 'the potential for deliberate misuse' and can result in legislation that may 'target civil society, silence human rights defenders . . . and criminalize peaceful activities' (Emmerson, 2015). In Brazil, for example, new counterterrorism legislation defines terrorism as acts motivated by 'political extremism' which opponents view as a means by which to target legitimate protest activities (Human Rights Watch, 2015). In Peru, President Garcia passed a law requiring all NGOs and donors to register with a government agency which critics believe is an attempt to immobilize NGOs (Howell et al., 2008).

In addition to definitional ambiguities, Resolution 1373 also sets potentially unattainable compliance standards. Under the resolution, states are required to create laws that prohibit the financial support of terrorist activities directly and indirectly. In order to be in compliance with these laws, NGOs are obligated to verify that all potential partners and affiliates are free from terrorist ties. However, there are hundreds of lists of designated terrorist organizations and individuals, many of which are populated with armed opposition groups and government entities. It can be an insurmountable and costly burden for NGOs to access and crosscheck these lists to ensure that they are not in violation (Hayes, 2017).

### ***Financial Action Task Force***

The Financial Action Task Force (FATF), which is responsible for devising rules regarding terrorist financing, is a lesser-known but equally important body in counterterrorism initiatives. Following 9/11, the FATF codified UN Resolution 1373 in a series of recommendations for

states and financial institutions (FATF, 2012). The FATF recommendations for addressing terrorist financing include such measures as freezing assets, creating mechanisms to report suspicious activities, and reviewing the regulations for entities at risk of being abused by terrorists, including non-profit-organizations (NPOs). Recommendation 8 specifically addresses NPOs, identifying them as particularly vulnerable to exploitation and prescribing a number of measures to combat abuse; these include supervision and monitoring of NPOs, gathering of information on NPOs, and active investigations of NPOs. Banking and financial institutions that fail to comply with FATF recommendations can be fined, have their banking licenses revoked, and may face criminal prosecution. Similar to Resolution 1373, the FATF recommendations have been criticized on a number of fronts, including the state use of Recommendation 8 to target and silence NGOs and the fact that overly cautious financial regulations have hindered the ability of NGOs to operate effectively.

More than 190 countries are now obligated to implement FATF recommendations and are reviewed on a rolling basis to ensure compliance (Hayes, 2017). For developing countries, aid and investment opportunities are contingent on compliance ratings. However, legislative reform is often shielded from public scrutiny and the use of compliance ratings can push through measures that have been criticized by human rights advocates. In addition, researchers have found that states have failed to limit their regulatory measures to the intended target: a small subset of the non-profit community particularly vulnerable to terrorist financing (Hayes & Jones, 2015). Instead, states have produced broad legislation that extends beyond high-risk NGOs, encompassing instead a broad swathe of civil society members, potentially immobilizing them. Cambodia, for example, implemented a law requiring that all NGOs register with the government and maintain political neutrality (United Nations, 2015). Uganda passed a bill in 2015 that gave the government the power to disband NGOs and imprison their members; this has raised concerns among a number of NGOs, including LGBTQ groups that fear they will be subject to targeted scrutiny due to state intolerance of homosexuality (News 24, 2015). Both countries implemented these legislative changes after receiving poor compliance ratings from the FATF. Faced with criticism, the FATF released a 'Best Practices' guide for addressing the potential abuse of NGOs in 2015 and, in 2016, further clarified the meaning of NGO 'vulnerability' to terrorist financing; however, it remains to be seen how these additional guidelines will affect state regulatory practices (FATF, 2015, 2016).

The FATF recommendations have influenced legislative measures but have also had a direct impact on the financial community and their dealings with NGOs. The FATF requires that financial institutions monitor the activities of their customers in order to detect terrorist financing. As the number of groups and individuals designated as terrorists increases, so too has the risk of inadvertently doing business with them. Financial institutions have responded by engaging in risk analyses of current or potential clients, oftentimes applying stringent guidelines that exceed FATF recommendations (Metcalfe-Hough et al., 2015). This results in the denial of services to organizations with a risky profile, including NGOs working with specific communities and in conflict areas. Compliant NGOs have to engage in costly and time-consuming administrative measures in their financial dealings, although compliance does not guarantee successful transactions. In addition, as a result of FATF expectations, banking institutions have delayed financial transactions for unwarranted periods of time. When financial transactions are delayed due to an investigation, often the NGOs are required to bear the cost of the investigation (Pantuliano et al., 2011). Financial institutions have also refused to open accounts for new clients and have closed pre-existing accounts, often without warning or without giving a reason. In 2015, the Bank of America closed the account of Syria Relief and Development after which the NGO transferred its account to Wells Fargo (Barry & Ensign, 2016). Before long, Wells Fargo also

closed the Syria Relief and Development account, resulting in a four-month delay in the payment of NGO employees. In 2015, HSBC closed the account of the Islamic Relief Worldwide after blocking donations coming in and payments going out (Mandhai, 2016). An advocacy group called the Charity and Security Network surveyed a number of humanitarian NGOs in 2013 and found that more than half of the respondents reported delays or denials in international transactions and approximately 15 percent faced account closures (Barry & Ensign, 2016). Many of the NGOs affected by Recommendation 8 are small charities that do not have the financial reserves necessary to survive an interruption in donations.

In addition to implementing oftentimes insurmountable administrative hurdles, UN and FATF regulations have hindered the abilities of NGOs to provide humanitarian aid in areas marked with political or cultural strife. In many conflict areas, banned organizations control the territory and NGO access is contingent on paying a fee. For example, as mentioned previously, humanitarian organizations in Afghanistan not only have to register in order to access Taliban territory, but also pay a tax and, oftentimes, goods delivered to the civilian populations in these areas can be diverted to extremist groups (Jackson & Giustozzi, 2012). Both the payment of a terrorist tax or entry permit and the diversion of goods to local groups constitute providing material support. This puts NGOs attempting to deliver aid in a difficult position; they can either continue in their work and risk criminal prosecution or discontinue their work in areas with a heavy terrorist presence.

### ***Differential impacts of counterterrorism initiatives***

The effects of counterterrorism initiatives have not been uniformly felt within the NGO sector. Smaller local NGOs find the new hurdles particularly costly and prohibitive. Screening potential beneficiaries, donors, and partners, meeting banking standards, applying for exemptions, and complying with administrative expectations are unachievable goals for many NPOs. In addition, donors and foundations have begun to prioritize low-risk partners, such as large international NGOs, and service delivery over political work, to the detriment of small organizations and advocacy groups (Howell et al., 2008; Mackintosh & Duplat, 2013). As a consequence, large service-oriented NGOs that are amenable to regulation and better able to communicate using discourse compatible with counterterrorism regulations are more likely to receive donor attention and funding.

Religiously oriented NGOs have also faced disadvantages and, in some cases, discrimination, in the name of counterterrorism. Many of the political attacks in recent years have been framed by terrorists as part of a holy war in the name of Islam. This has led to unfounded suspicions that religiously based NGOs may have potential affiliations with terrorist groups. Christian and Jewish NGOs are forced to go to extremes to demonstrate their neutrality in politics and religion (Macrae & Harmer, 2003). Muslim organizations, particularly those based in Western nations, have been intensely scrutinized, their reputations damaged, and a number have had their assets frozen and operations halted (Metcalf-Hough et al., 2015; United Nations, 2009). In the United States, for example, the Holy Land Foundation for Relief and Development and the Benevolence International Foundation both had their assets frozen following 9/11 (Sidel, 2011). In some cases, the heads of Muslim organizations have been charged with providing support for terrorist activity because of their links to organizations in extremist regions that are under suspicion. In addition, private donors have decreased their funding for fear of the consequences of being affiliated with a Muslim organization (Pantuliano et al., 2011), and others have been reluctant to open new charities (Billica, 2006).

NGOs have also been differentially affected based on where they are headquartered. NGOs originating in the United States have, for example, felt the impact of domestic restrictions more

severely than those from the United Kingdom. In the United States, counterterrorism initiatives were historically distinct from the regulation of NGOs; however, following the attacks in 2001, a number of measures were passed that amended previous legislation, pairing NGO regulation with counterterrorism, accusing NGOs of 'being a significant source of alleged terrorist support' (US Department of the Treasury, 2002, p. 2) and signaling that NGOs had the potential to threaten national security (Bloodgood & Tremblay-Boire, 2011). The new approach adopts a prosecutorial stance and is based on aggressive surveillance, increased penalties, and the removal of legal defenses such as a lack of knowledge and intent.

Similar to the United States, the United Kingdom amended and increased counterterrorism measures following 9/11, but maintained the perspective that 'the majority of the charities in this country are legitimate . . . and have no involvement in terrorism' (Home Office and HM Treasury, 2007, p. 4). Legislative changes focused on increasing the power of the pre-existing Charity Commission, an independent regulator of charities in England and Wales, and a priority was placed on preventative surveillance (Bloodgood & Tremblay-Boire, 2011). Comparisons between the two countries illustrate that, while regulation and subsequent NGO behavior have changed in both cases, the change has been notably less severe and less reactionary in the UK. National responses to specific NGOs, such as Interpal which has operations in both countries, illustrate this difference. The United States alleged that Interpal was linked to Hamas and proscribed its activities (Sidel, 2011). Shortly after, the United Kingdom opened a formal investigation of Interpal and froze its assets. Upon finding no evidence to support US allegations, the UK unfroze the accounts and closed the inquiry. When requested, the US failed to produce evidence linking Interpal to Hamas but continued to proscribe Interpal activities.

In the years following 9/11, US-based NGOs have responded to increased surveillance and decreased funding with defensive caution (Foundation Center, 2008; Guinane et al., 2008); meanwhile, UK-based charities have actively engaged in the British legislative process and with the Charity Commission (Bloodgood & Tremblay-Boire, 2011, p. 149). NGOs in both locations report uncertainty about counterterrorism measures, fearing the 'shadow of the law' (Carter et al., 2008, p. 167). NGOs in the US and the UK simply do not know how the measures will be applied and enforced, whether they will be targeted, and how they are expected to respond.

### ***NGO responses to counterterrorism***

Confusion and uncertainty surrounding counterterrorism measures have led to a variety of NGO responses. In practice, very few NGOs have been prosecuted for supporting terrorist organizations, but a handful of successful convictions, such as the Islamic Relief Organization in the Philippines or the Holy Land Foundation in the United States, have led NGOs to alter their behaviors for fear of potential repercussions (Hayes, 2017). While regulations are intended to increase transparency and accountability, they have in some cases had the opposite effect as NGOs hide their relationships with designated groups and individuals in order to protect themselves from prosecution. The fear of prosecution has also prevented many NGOs from forming a united front in opposition to ambiguous and extreme counterterrorist measures. Many organizations are reluctant to even discuss these initiatives and to share information with other NGOs.

Whereas some NGOs have gone silent, others, such as Doctors Without Borders and Legal Defense Fund, engage in mild forms of resistance. These acts of defiance include refusing to compare and verify organizational employees against government lists of designated terrorists and refusing to sign grant contracts that include anti-terrorist certifications (Bloodgood & Tremblay-Boire, 2011). A limited number of NGOs, such as Human Rights Watch, have also engaged in vocal opposition by hosting protests, drafting press



releases, and writing op-ed articles. Although these activities have not, as of yet, resulted in notable backlash, these organizations run the risk of punitive government response, including forced changes in tax status, fines, and even imprisonment.

A number of NGOs have responded to counterterrorism regulations by moving operations to less risky regions or communities and engaging in self-censorship of their advocacy work. For example, in 2014, NGOs reported that they failed to deliver aid to Palestinians hiding in Hamas-run sites or to provide support for the rebuilding of Hamas-run schools for fear of violating US counterterrorism policy (Metcalf-Hough et al., 2015). The Charity and Security Network has documented a number of NGO-led peacebuilding activities that have been halted or redirected because some of the participating groups or individuals were on the US terror list (Boon-Kuo et al., 2015). These include projects that would have supported the travel of listed members to share their experiences of successful peacebuilding with other groups, non-violence training for religious school teachers, and dispute resolution training for Gaza students. In addition, a number of NGOs have completely withdrawn from areas such as Syria, Pakistan, India, and Sri Lanka due to concerns that their operations would violate counterterrorism regulations.

Some NGOs have acquiesced by engaging in such activities as stringent vetting procedures of staff members, beneficiaries, and other allied partners. While this has ensured compliance, it has also increased levels of distrust in the NGO community. This distrust has been magnified by events that indicate partner vetting practices may lead to increased government surveillance. Leaked Snowden documents, for example, reported that USAID provided data to intelligence agencies in order to comply with the law and vet potential organizational partners; this data was then used to expand a terrorist database (Hayes, 2017). In this case, an NGO became an active participant in intelligence-gathering.

In response to banking regulations, some NGOs have been forced to adopt unorthodox financial practices, such as bringing large cash sums into conflict areas. This activity has been carried out under the assumption that banking institutions are unreliable and inconsistent (Metcalf-Hough et al., 2015). This practice puts NGO workers transporting cash at an increased risk of attack, thus threatening their safety and decreasing the likelihood that the funds will reach the intended destination.

While most NGOs have focused on compliance or noncompliance, some NGOs have sought clarity through legal channels. There are a number of instances of NGOs instigating court challenges to clarify ambiguous regulations, such as the meaning of material support, probable cause as grounds to freeze an organization's assets, and potential violations of due process (Bloodgood & Tremblay-Boire, 2011). A great deal of uncertainty stems from the overlap between voluntary compliance and formal provisions and court challenges are designed to lend some clarity to these ambiguities. Most of these challenges have been sought by groups that are founded by lawyers (e.g., the American Civil Liberties Union) or by NGOs that have been targeted for dissolution under counterterrorism regulations.

In addition to litigation, NGOs may also choose to work with regulatory agencies and legislators to create or revise counterterrorism policy (Bloodgood & Tremblay-Boire, 2011). Through a variety of measures, including testifying before government or active lobbying, the organizations engage in collaborative practices with the end goal of creating mutually beneficial and realistic regulations. Cooperation between civil society and regulators is more common in countries with institutionalized means of NGO participation. In Canada, for example, the Voluntary Sector Initiative creates opportunities for partnerships between NGOs and the government. As a result of initiatives like this, NGOs, including Amnesty International, the Canadian Red Cross, and the Muslim Council of Montreal, have participated in the creation of counterterrorism legislation following 9/11.



With the exception of participation in legislative process, NGOs have found counterterrorism policy to be an impediment at best. NGOs have had to modify behaviors and practices in order to hide from or comply with regulations. These responses put their operational capabilities, their legal standing, and their communities at risk.

## Concluding remarks

As we settle into a post-9/11 world, NGOs continue to face a great number of terrorism-related challenges, including increased legal uncertainties, discrimination, administrative hurdles, and threats to safety and security. The extent, severity, and lived reality of these challenges have been identified but not thoroughly explored by the research community. Government, legal, and academic scholars have paid limited attention to the relationship between NGOs, terrorist violence, or counterterrorism measures. This absence of research ensures that NGOs are ill protected from political violence and state interference.

There are two branches of future research that scholars could pursue that may facilitate the safety, security, and unencumbered operations of NGOs. One area of study involves determining how to protect NGO workers from terrorist attacks while still allowing them to carry out their organizational duties. Does a soft acceptance approach, for example, have an impact on violence directed at an NGO? What security measures are most effective in thwarting raids on aid centers and NGO offices? What measures are most effective at establishing and communicating NGO independence and neutrality? The relationship between NGO activities and terrorist violence is underexplored and, as a consequence, evidence-based best practices to ensure NGO safety and integrity are limited, at best.

Counterterrorism policies offer a second area of future study. It is both the responsibility of the government and the academic community to examine and compare the objectives and consequences of regulations and initiatives. Policies, once implemented, should be assessed for effectiveness and, if found wanting, altered or eliminated. Unfortunately, little is known about the effectiveness of these policies; they have not been subjected to the level of scrutiny to which many initiatives are exposed. First, researchers need to ascertain how NGOs are affected by these initiatives. As it currently stands, there is a notable dearth of information on the impact on NGOs and their responses to counterterrorism laws, likely due to fear of prosecution and a resulting lack of transparency. Once the effects on NGOs are established, researchers need to explore whether these policies are curbing terrorist financing and support. If the research community can establish these two metrics, counterterrorism initiatives can be assessed in their entirety, including both their costs and benefits. Failing to carry out these necessary measures of assessment ensures that NGOs are controlled by blind policies, or measures whose effects are unknown and may be causing more harm than good.

Counterterrorism policies and terrorist violence pose near insurmountable challenges for NGOs in this age; however, there are several developments that suggest that the weight of these burdens may be lifted in the future. First, physical risk to NGO workers in conflict areas may be stabilizing or subsiding. As illustrated in Figure 40.3, attacks targeting NGOs reached an all-time high in 2013 and then began to decline steadily. We can hope this trend continues, perhaps signaling a diminishing interest on the part of terrorist organizations in targeting NGOs for political reasons or material gains. Second, select governing bodies have begun publicly recognizing the hardship that NGOs face in the age of counterterrorism. A number of administrations have made commitments to work with NGOs in navigating these hurdles. In 2013, for example, the Obama administration launched the Stand with Civil Society campaign which had three primary goals: promoting laws and policies that supported civil society

while also complying with international standards, coordinating a response to unnecessary restrictions, and identifying innovative ways to support civil society (The White House, 2014). Along similar lines, the European Union created the European Endowment for Democracy in 2013, a democracy support organization, and, in 2016, ‘recognised the essential role of CSOs [Civil Society Organizations]’ and opined that ‘a more strategic engagement with CSOs should be mainstreamed in all external instruments and programmes and in all areas of cooperation’ (European Union Committee, 2016). While these gestures do not provide a panacea solution to the problems NGOs have encountered in this age of global terrorism, they do suggest a shift in the perspectives of organizations and administrations alike, one that might move NGOs away from the precarious position they currently occupy, freeing them to fulfill their specific mandates in a manner that does not put them at physical or legal risk.

## Notes

- 1 The data used in this chapter comes from the Global Terrorism Database (GTD) provided by the University of Maryland. An observant reader will note that 1993 is missing; the University of Maryland inherited the GTD from Pinkerton Global Intelligence Services, who misplaced this year of data during an office move.
- 2 The rates of terrorism in these four regions dwarfed other regions, making them difficult to detect. Therefore, for the sake of discernibility, Figure 40.3 only includes these four regions. Middle East and North Africa include Algeria, Bahrain, Egypt, Iran, Iraq, Israel, Jordan, Kuwait, Lebanon, Libya, Morocco, North Yemen, Qatar, Saudi Arabia, South Yemen, Syria, Tunisia, Turkey, United Arab Emirates, West Bank and Gaza Strip, Western Sahara, and Yemen. South Asia includes Afghanistan, Bangladesh, Bhutan, India, Maldives, Mauritius, Nepal, Pakistan, and Sri Lanka. Southeast Asia includes Brunei, Cambodia, East Timor, Indonesia, Laos, Malaysia, Myanmar, Philippines, Singapore, South Vietnam, Thailand, and Vietnam. Sub-Saharan Africa includes Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Central African Republic, Chad, Comoros, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eritrea, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Ivory Coast, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritania, Mozambique, Namibia, Niger, Nigeria, People’s Republic of the Congo, Republic of the Congo, Rhodesia, Rwanda, Senegal, Seychelles, Sierra Leone, Somalia, South Africa, South Sudan, Sudan, Swaziland, Tanzania, Togo, Uganda, Zaire, Zambia, and Zimbabwe.

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# International NGO legitimacy

## Challenges and responses

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### Introduction

In 2010, a 7.0-magnitude earthquake struck Port-au-Prince, Haiti, killing an estimated 220,000 people, injuring even more, and rendering 1.5 million people homeless. The American Red Cross raised nearly US\$500 million for its humanitarian response to this earthquake, but subsequently faced public criticism about the use of these funds. Journalists were unable to substantiate the organization's claims to have helped 4.5 million people and built hundreds of homes, and criticized the program's high administrative costs, the deployment of inexperienced staff, and the lack of consultation with Haitians on projects (Sullivan 2015). In early 2018, revelations that Oxfam's country director and several male employees exploited Haitians for sex as the organization was supporting survivors of the earthquake in 2011 stunned the aid world. The scandal exposed an organizational culture that put concerns about brand and donations ahead of being fully transparent about allegations of sexual misconduct (Edwards 2018).

Both scandals involve broader debates about International Non-Governmental Organizations' (INGOs) legitimacy. In the case of the Red Cross, the organization misrepresented its achievements and used inappropriate procedures, whereas the Oxfam scandal exposed gaps between the moral claims of INGOs and their behavior on the ground. Such reckoning is not unusual for the sector, and took place on many occasions, including after the Biafra war in the late 1960s and the Rwanda genocide in 1994. In each of these cases, questions about the behavior of individual NGOs turned into a legitimacy crisis for the sector overall (Klarreich and Polman 2012; Schuller 2012; Terry 2002).

INGOs face regular legitimacy challenges because many of them claim to stand for human rights, abide by principles such as impartiality, and pursue fundamental social or political change. In claiming the moral high ground, INGOs are vulnerable to intense scrutiny by a wide range of stakeholders, including governments, constituents, their own staff, peers, and the general public. Challenges to INGO legitimacy have increased over time as the goals of these organizations become more ambitious and political. Many development aid groups have shifted their attention from less controversial service delivery to engage in more advocacy (Lindenberg and Bryant 2001). INGOs have also become more visible actors as a result of their significant successes in shaping global governance. In pledging to work for social progress and transformation, INGOs



face backlash not only from those benefiting from the status quo, but also those expecting these groups to deliver on their grand promises. INGOs' oft-rehearsed strategy of holding others accountable has led their critics to call on these organizations to also become more transparent and accountable. At the same time, these organizations have experienced significant growth and professionalization, which has undermined their comparative advantages of being innovative, nimble, and grassroots-focused. Observers see these organizations as "too big to fail" and with a shifting focus toward survival (Walton et al. 2016), rather than pursuing their original missions (Bush 2015).

The critiques directed at INGOs have led to greater self-reflection (BOND 2015; Green 2015), but also to specific measures designed to enhance INGO legitimacy in the eyes of their stakeholders (Rusca and Schwartz 2012). Some of these measures are taken collectively, while others are taken by each organization as part of regular organizational and strategic change processes (Lux and Bruno-van Vijfeijken 2012). We argue in this chapter that the growing focus on INGO legitimacy reflects not only increased demands for demonstrating outcomes and impact, but also for yielding greater control to supporters and constituents. Debates about INGO legitimacy are best understood as intimately linked to how various stakeholders view the basic purpose of organizations and the sector overall.

The first part of this chapter elaborates how INGO legitimacy challenges are ultimately tied to questions about their basic purpose. The second part introduces the "4 Ps" model of legitimacy practices focused on purpose, people, practices, and performance (Deloffre n.d.). The model offers an attempt to conceptualize legitimacy in a way that enables empirical analysis across disciplines. The third section provides insights into some recent sector- and organizational-level efforts by INGOs focused on addressing legitimacy challenges in the four areas identified. We conclude that INGOs cannot neglect legitimacy issues since doing so will put them at greater risk for co-optation by states and corporate actors who are capable of controlling access to resources and venues. If INGOs only "depend on acceptance by dominant groups and powerful decision-makers . . . they will function to sustain rather than challenge the structures of power" (Guterman 2013: 391; see also Jaeger 2007).

## **The link between INGO legitimacy and purpose**

INGOs are non-profit organizations routinely working across borders but often headquartered in developed countries of the Global North. They are "any organized group of people that are not direct agents of individual governments" and do not pursue criminal, violent, or primarily profit-making activities (Willets 2011: 31). For the purposes of this chapter, we focus primarily on INGOs with a high public profile and authority (Stroup and Wong 2017), and draw on more well-known examples of legitimacy crises in the sector.

INGOs are legally established in their country of origin and subject to national laws in countries where they work, but do not hold any formal legal status at the international level (Martens 2002). INGOs are independent actors with their own governing structures and accountability practices, which means that their legitimacy is negotiated as part of a complex web of dependencies, including governments granting access, donors providing resources, and peer organizations offering networking opportunities. Legitimacy is deeply embedded in social relationships, and contingent upon an actor's perceptions of another actor, rule, or institution. We thus use Suchman's definition of organizational legitimacy as a starting point for how we conceptualize INGO legitimacy – "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs and definitions" (Suchman 1995: 574). Legitimacy is closely linked to but clearly



separate from accountability. Accountability refers to how an INGO reports on and answers for its actions (Rubenstein 2014), which is a way of turning “its power into legitimate authority” (Balboa 2015: 161). While accountability involves discreet actions by the organization toward its stakeholders, legitimacy is a quality accorded to or withheld from the organization by those same stakeholders. Accountability practices can be central to maintaining legitimacy, but we show below that legitimacy perceptions emerge from a complex and often chaotic web of social interactions (Moore 2014).

Legitimacy is a three-legged stool supported by legal recognition, a set of shared norms, and “actions expressing consent” (Beetham 2013: 38). On all three counts, INGOs face regular challenges simply because they lack legal status at the international level, work across culturally diverse contexts, and do not have a coherent, dominant constituency (Yanacopulos 2015: 50; Thrandardottir 2017). Businesses have owners or shareholders, while governments are responsible for a defined population. INGOs typically face fewer requirements associated with legal status, they frequently work on culturally sensitive issues (e.g., women’s empowerment or immigrant rights), and they often face conflicting stakeholder demands (e.g., donors look for efficiency, while clients desire effectiveness). While governments and businesses may face similar legitimacy challenges, INGOs cannot rely on elections or profits as a baseline measure of legitimation (Rubenstein 2014). If they fail to recognize and manage the legitimacy issues associated with their presence and purpose, then INGOs face the prospect of diminished trust and authority.

The good news is that global trust in NGOs remains relatively stable at slightly above 50 percent over time. The sector has for years edged out business as the most trusted institution in the general population and the informed public, while media and government remain well behind (Edelman 2018). This trust is mainly based on a combination of two assumptions the public makes about non-profits: First, the non-profit sector addresses some of the most difficult social and political problems in the world. The general public supports INGOs because they promise action on issues such as global poverty, environmental destruction, and human rights abuses. Second, they do so with very limited financial reward as non-profits in most countries cannot benefit their owners and operate under the non-distribution constraint (Valentinov 2008). Public trust in the non-profit sector derives from legal regulations limiting profit and wrongdoing, but also from the fact that these groups take on social issues not addressed by governments and markets.

Increasing demands on INGOs have created persistent legitimacy challenges, however. It is no longer sufficient to base legitimacy claims on the non-distribution constraint or being the only sector addressing neglected local and global problems. Donors’ and the public’s understandings of INGOs, their roles, and responsibilities have changed, and they now demand INGOs demonstrate results and effectiveness (Mitchell 2013). At the same time, local partners and affected populations apply “bottom-up” pressure and demand that INGOs relinquish more control over program planning and implementation. These shifting understandings of legitimacy produce questions regarding the purpose, practices, and structures of INGOs.

## **The “4 Ps”: legitimacy dimensions**

INGO scholars draw on different disciplines to establish dimensions of legitimacy. Based on the sociology of organizations (Suchman 1995), scholars focus on four primary types of non-state organizational legitimacy: regulatory, pragmatic, normative, and cognitive (Lister 2003; Walton 2008). The idea of unique dimensions of legitimacy is today widely established, although specific

labels may vary. Brown's (2008) analysis of transnational civil society identifies six categories: regulatory, associational, performance, political, normative, and cognitive. Pallas et al. (2015) hold that INGOs typically make distinct claims focused on democratic, moral, and technical legitimacy. Our approach here is to provide an overarching framework for these dimensions of INGO legitimacy by organizing them under the "4 Ps" (Deloffre n.d.) that emphasize the ways in which stakeholders shape perceptions of legitimacy.

The "4 Ps" of INGO legitimacy express a concern for purpose, performance, processes, and people. When considering purpose, we focus on the mission of INGOs and ask: *legitimate for what?* INGOs pursue goals and activities that fit more or less with broad social understandings of what is their appropriate role. A focus on processes asks *legitimate how?* and refers to the procedures used by INGOs to conduct their work and whether these procedures conform to legal and social standards. Performance is based on *how well* an INGO fulfills its stated objectives and how efficient it is in doing so. Finally, the emphasis on people highlights questions of representation and participation. *To whom* does the organization feel accountable and how does it facilitate the participation and involvement of different stakeholder groups?

Table 41.1 The "4 Ps" of INGO legitimacy

<i>Focus of legitimacy</i>	<i>Legitimacy challenges</i>	<i>Responses to legitimacy challenges</i>	<i>Examples</i>
<i>Purpose – for what?</i>	Cognitive shifts; incomprehensibility; new entrants; hypocrisy	Adapt to shifts in cognitive understandings; conform to new external norms	Adoption of rights-based approaches; Amnesty International's shift to establish regional offices; ActionAid and Oxfam moving headquarters to South Africa and Kenya, respectively
<i>Process – how?</i>	Violations of non-profit status; criminal behavior; ethical dilemmas; violation of professional norms; lack of capacity	Develop voluntary codes of conduct, ethics or standards; third-party audits; financial reporting; capacity-building	Emergence of Accountable Now (formerly: INGO Accountability Charter) and Core Humanitarian Standard Alliance
<i>Performance – how well?</i>	Ineffectiveness; inefficiency	Reduce overhead; increase monitoring and evaluation; issue annual reports	InterAction's use of visual mapping of member projects
<i>People – to whom?</i>	Opportunistic decision-making; poor responsiveness; low participation/inclusion	Transparency measures, including providing information regarding outputs and outcomes; establish mechanisms of "downward accountability"; expansion of supporter involvement using social media	CHS Alliance; Greenpeace's MobLab; complaint mechanisms/hotlines in humanitarian aid sector

The issue of purpose emphasizes cognitive, moral, and recognition legitimacy (Suchman 1995; Brown 2008; Collingwood and Logister 2005; Brinkerhoff 2005). Cognitive legitimacy accrues when an organizational sector, its goals, and its objectives are taken for granted as part of the cultural fabric of society (Suchman 1995: 582). For example, the notion of charity and the humanitarian imperative to relieve human suffering exists in most major religious and philosophical traditions. As the definition of who counts as “human” expanded after WWII, the act of providing humanitarian assistance to all humans worldwide became a social norm (Finnemore 2003). INGOs conform to this prevailing architecture of social norms to rationalize and justify their purpose and actions publicly. We now expect INGOs such as Médecins Sans Frontières (MSF) or Oxfam to provide humanitarian assistance wherever calamity might strike (Calhoun 2008). Cognitive legitimacy focuses on what organizations represent, not what they do or how they do it. Purpose legitimacy is expressed in being recognized by governments and other actors, including securing consultative status in intergovernmental organizations or forming partnerships with other actors (Collingwood and Logister 2005).

Process legitimacy includes an emphasis on regulatory, normative, and procedural (throughput) issues. Regulatory legitimacy requires compliance with national laws and regulations including the legal requirements of designations such as tax-exempt status. Since INGOs are often incorporated in one country but work in others, they are beholden to the domestic laws of both their home and host countries. Furthermore, although they do not have formal legal standing in the international system, INGOs often voluntarily embrace international standards such as the Universal Declaration of Human Rights as a basis for their advocacy and service delivery (Brown 2008; Ossewaarde et al. 2008). Normative legitimacy means that an organization embodies or conforms to widely held social or professional values and norms (Deephouse and Suchman 2008: 53). This may include adopting specific professional norms (e.g. transparency) or structures (e.g. accountability officers) that signal compliance with best practices about how to actually run an INGO.

Performance legitimacy emphasizes how well an INGO meets its stated goals and objectives (Brown 2008; Pallas et al. 2015). Delivering on goals generates external recognition for the purpose of the organization. Performance indicators might measure the short-term outputs, such as how many people were reached or what services and expertise were provided (Suchman 1995: 578). But many INGOs today want to be assessed on more than outputs, and increasingly emphasize medium- or long-term outcomes defined as actually accomplishing the original goals and mission (Lecy et al. 2012). Such an emphasis on outcomes has led to a growing focus on measurement and evaluation (M&E) and the rise of theory of change frameworks in the sector (Mitchell 2013). For example, Oxfam America began in the early 2000s to develop more systematic program evaluation efforts and added by 2004 M&E specialists to all its program areas (Ng 2010).

As INGOs grow and become increasingly sophisticated in assessing their impact, they often face challenges with regard to their democratic accountability or people legitimacy. INGOs may be successful in scaling up their efforts and global presence, but such success frequently degrades their ability to be responsive to local needs and be viewed as credible representatives of the communities they claim to help (Balboa 2018). Professionalization and growth may be favored by institutional donors, but it may also undercut an INGO’s capacity to adequately respond to the needs and interests of staff, partners, peer organizations, or local communities (Lister 2003; Brown 2008). In response, INGOs may adopt complaint mechanisms or establish democratic procedures of member input in decision-making. INGOs have adopted a variety of measures to increase their people legitimacy, including relocating their headquarters and operations to the Global South, systematically transferring skills, knowledge, and resources,

gradually withdrawing from service delivery to permit local actors to take over these roles, or enhancing participation in all stages of program planning, implementation, and evaluation (BOND 2015). For example, ActionAid moved its headquarters from London to Johannesburg in 2004, Amnesty International established eleven regional offices, and Family for Every Child decentralized its operations to become a member-led alliance. In addition, many INGOs have embraced a rights-based approach to development (Schmitz and Mitchell 2016) or have made citizen empowerment downward accountability a key strategic goal (for details, see Crack, Chapter 42 of this volume).

## **INGO legitimacy challenges: purpose, process, performance, people**

This section draws on previous work by one of the authors (Deloffre n.d.) that defines and delineates INGO legitimacy problems. In addition to an overview of legitimacy problems, we also provide examples of INGO responses to challenges regarding their legitimacy.

### ***Purpose-related challenges to legitimacy***

Deloffre suggests four main types of purpose-related legitimacy problems: cognitive shifts – INGOs unable to conform to existing norms and models because cognitive understandings have changed; incomprehensibility – mismatch between societal perceptions and INGO legitimacy claims; new entrants – new INGOs work to gain recognition from the field; and hypocrisy – mismatch between INGO rhetoric and actions.

Humanitarian and development INGOs initially embraced a charity model of serving the needy. For example, Oxfam was founded in 1942 as the Oxford Committee of Famine Relief with the goal of delivering food supplies through to enemy-occupied Greece during World War II. French INGOs like Doctors of the World (MdM) and Doctors without Borders (MSF) were founded during the international response to the famine in Biafra, Nigeria. Over time these ad hoc, primarily grassroots organizations became institutionalized and embraced by major aid agencies and international institutions as a solution and “magic bullet” (Edwards and Hulme 1995) to persistent poverty. The 1980s and 1990s were marked by challenges to the basic purpose of the sector. The charity model faced increasing backlash because it did not address the root causes of humanitarian crises and complex emergencies, often fueled and exacerbated conflicts, and disrupted local economies and networks (Deloffre 2016). These new understandings of the role of humanitarian aid shifted emphasis from mere “good intentions” to sustained questions about outcomes and impact.

Paradoxically, as INGOs gained greater recognition and acceptance, often as equal partners with governments and international institutions, they also faced growing challenges to their legitimacy (Lewis and Kanji 2009). Moving closer to established government agencies and becoming recipients of aid flows led to organizational growth, new dependencies (Caldwell 2015), and contributed to anxiety that INGOs were “too close for comfort,” losing their grassroots origins and being coopted by states’ foreign policy interests.

### ***Process-related challenges to legitimacy***

Debates around purpose and mission fundamentally shape INGO behavior and action. Process legitimacy problems arise from the way INGOs work and may include violations of non-profit status, criminal behavior, ethical dilemmas, violations of professional norms, and lack of capacity (Deloffre n.d.). To take one example, perennial debates regarding whether and

how to use images of the poor to fundraise for humanitarian causes represent a central ethical dilemma about what constitutes an appropriate means to an end. INGOs use photos of helpless, suffering, and distraught women and children in fundraising materials to elicit emotional responses and effectively raise funds. This practice, often referred to as “poverty porn,” is not without controversy.

During the international response to the 1984 Ethiopian famine, World Vision achieved notoriety for a series of fundraising documentaries it produced, which broadcast images of infant burials and feeding centers. While effective in raising funds and the profile of the organization, the documentaries faced sustained criticism for being “poverty porn” and offering simplistic solutions to complex problems. Andrea Cana from the World Council of Churches stated at the time, “They appeal to emotions. They make people think that donating blankets will take care of the problem, when the solution is really much more complex” (Cervantes 1986). Although many INGOs have reevaluated how they use images in their fundraising, the constant gap between humanitarian needs and financial capacity ensures that poverty porn remains prevalent. As recently as 2017, groups such as Comic Relief and the Disasters Emergencies Committee (DEC) were criticized for perpetuating stereotypes of impoverished populations and offering simplistic messages about poverty and development (McVeigh 2017). Process legitimacy problems might emerge from this type of scenario where ethical principles conflict with the capacity requirements of INGOs, or these organizations may find themselves unable to reconcile conflicting demands from a wide range of stakeholders. These legitimacy issues can be further exacerbated when the public start asking questions about the effectiveness of these groups.

### ***Performance-related challenges to legitimacy***

INGOs face a complex array of choices and competing demands when trying to maintain or enhance performance-related legitimacy. These challenges have become increasingly pertinent as donors and the public require evidence of positive impact rather than “good intentions.” Performance legitimacy problems thus often concern ineffectiveness and inefficiency (Deloffre n.d.). Notably the meaning and assessment of being “efficient” or “effective” have changed over time. The rise of ideas such as philanthrocapitalism and strategic philanthropy shows an increasing pressure to apply business-like measurements to the non-profit sector (Edwards 2008). Charity Navigator, and other external watchdog organizations mostly operating in the United States, have advanced low overhead spending as a primary measure of organizational efficiency. However, there is widespread acceptance that a singular focus on overhead spending limits non-profit capacities and their ability to deliver on the claimed mission to promote human rights, eradicate poverty, or protect the environment (Lecy and Searing 2015). For INGOs, achieving efficiency and effectiveness are not necessarily compatible goals.

For instance, in the opening example of this chapter, the Red Cross partnered with local and international NGOs to provide needed services in areas where it lacked expertise. The Red Cross formed these partnerships to leverage existing capacities and improve program effectiveness. However, these partnerships also increased administrative and overhead costs, which contributed to financial inefficiency and is incompatible with donor expectations (Sullivan 2015). Critiques of the Red Cross’ performance therefore included allegations of failures to deliver promised services and charges of inflated overhead expenses. As a result of pressures to control overheads, many organizations have undercut their own capacities to effectively deliver on mission or develop learning capacities central to strategic adaption (Lecy and Searing 2015). While INGOs realize efficiencies in outsourcing program operations to partners, doing so also requires processes for ensuring and monitoring program quality, which increases administrative

expenses. The experience of the Red Cross is then representative of broader legitimacy challenges faced by the sector that are to a significant extent due to organizations' inability to effectively explain what they are doing, how they operate, what their impact is, and why donations are not a waste if they go to administrative costs.

Balboa (2018) shows that many environmental INGOs begin their work at the global scale, garnering support through global fundraising efforts, and influencing global decision-making. As they achieve legitimacy at the global level, they acquire the authority to implement decisions at the local scale, which grants them additional legitimacy at the global level for being representative of the local communities and resources. This work at the local level translates to enhanced fundraising capacity, but also generates a "paradox of scale": organizations enhance their standing at the global level, but undermine their ability to create lasting change on the ground.

### ***People-related challenges to legitimacy***

Deloffre (n.d.) identifies several possible causes for people-related legitimacy problems: opportunistic decision-making – where the INGO prioritizes organizational interests over stakeholder interests; poor responsiveness – where the INGO is not responsive to stakeholder interests; and low participation – where the INGO does not seek input from main stakeholders in decision-making. Typically, these issues are understood to raise accountability questions, in particular whom the INGOs claim to represent, how they engage with stakeholders, and in what ways they accomplish goals of meaningful participation and empowerment (see also Crack, Chapter 42 of this volume). "By what authority" (Slim 2002) INGOs make claims matters because they neither rely on elections as a form of democratic legitimacy, nor are they selling goods directly to individual customers in a competitive marketplace.

As INGOs pursue their missions they interact with a broad range of stakeholders, including donors, local populations, host governments, the public, peer groups, and staff. In a transnational context, legitimacy issues arise because INGOs are often more responsive to donors than those they claim to serve. Donors may push for limiting overhead or measurable outcomes, but policies implementing these goals have long been questioned because they may undermine long-term effectiveness and a capacity to respond to local communities (Ebrahim 2010).

Poor INGO responsiveness to local communities remains a persistent critique. The case of Invisible Children (IC) is representative of how INGOs struggle to translate authentic support from donors into appropriate strategies at the local level abroad. IC began in 2004 to engage in grassroots mobilizing and awareness raising about violence in Northern Uganda and mainly targeted high schools and college campuses. It released the Kony 2012 video online, which was both a major success in raising funds and led to backlash against the policies advocated by IC. Critics challenged its advocacy for military action, limited attention to root causes of violence in the region, and a lack of input from those affected by the violence (Cole 2012).

Voices of the Global South increasingly demand real control over participation in program planning and implementation. For example, Degan Ali, executive director of Adeso, a Kenyan-based non-governmental organization, is the founder of a movement of NGOs demanding reform of the international humanitarian system and, in particular, devolution of power to local NGOs (Wall 2016).

### **INGO responses to legitimacy challenges**

How have INGOs responded to challenges to their legitimacy? Broadly speaking, INGOs have often struggled to act collectively to address legitimacy crises. With a few exceptions, these



responses have also been reactive, rather than anticipatory and strategic. As explained below, when external watchdogs started to disclose financial information about U.S.-based non-profits in the late 1990s the sector adapted by seeking to meet standards of low overheads. When Charity Navigator – after much criticism – started shifting attention from overheads to asking non-profits for information about their effectiveness, the vast majority of organizations in the sector were again unprepared and unable to offer systematic information about project- and organizational-level outcomes and impact. The picture emerging from how INGOs have sought to enhance their legitimacy is both uneven and marked by a tendency of waiting until it is inevitable to take some action. There are also clearly leaders in the sector that have consistently pushed the envelope on legitimacy questions long before outside pressure could no longer be ignored. Although we refer to some examples of sectoral leadership in the subsequent discussion, these leaders are not representative of the sector overall.

### ***Responses to purpose-related legitimacy challenges***

Many INGOs in the humanitarian and development sectors have embraced a rights-based approach (RBA) as a response to legitimacy challenges to their basic purpose (Deloffre 2010). Based on the Universal Declaration of Human Rights of 1948 and its associated conventions, RBA allows INGOs to legitimate their efforts by evoking globally accepted norms (Schmitz and Mitchell 2016). Even if organizations have not explicitly embraced advancing human rights as a core objective, they have shifted to a more complex understanding of their purpose. For example, World Vision's mission today contains not only references to religious values, but also to the need to address “deep-seated and often complex economic and social deprivation” (World Vision International 2017). Widespread claims to advance the resilience of local communities in an era of climate change also represent INGO efforts to address root causes of vulnerability (Gaillard 2010).

In the case of human rights groups, such as Amnesty International or Human Rights Watch, the core legitimacy issue addressed in recent decades has been the neglect of social, economic, and cultural rights. In efforts to gain support in the Global South, many major advocacy groups made efforts to look beyond civil and political rights. In some cases, such shifts took place alongside profound organizational change aimed at elevating voices from outside the Global North. For example, Amnesty recently opened ten regional offices to create a presence “closer to the ground” which would allow not only for greater responsiveness to local audiences, but also an enhanced capacity to re-think purpose and strategies. Similarly, many environmental NGOs have moved beyond a narrow focus on conservation, and have re-defined their purpose following sustained criticism from local communities (Larsen and Brockington 2017).

### ***Responses to process-related legitimacy challenges***

Since the 1990s INGOs have founded numerous voluntary standards to self-regulate their behavior. These standards represent ways in which INGOs maintain process legitimacy by signaling to their supporters that they not only comply with existing laws and regulations but also are keen to exceed accountability and transparency standards. These initiatives also serve the important purpose of defining and formalizing standards that both enhance accountability to peers and establish professional principles, norms, and rules for behavior. In this way they elicit voluntary compliance while sanctioning non-conforming behavior through reputational and social mechanisms (Deloffre 2016). For example, in response to the “poverty porn” dilemma discussed previously, several INGOs adopted informal standards for responsible



use of images in fundraising and media communications. Furthermore, the tenth principle of the 1994 Code of Conduct for the International Red Cross and Red Crescent Movement and NGOs in Disaster Relief requires that disaster victims be depicted as dignified individuals rather than hopeless victims.

Many collective efforts, including Accountable Now or Core Humanitarian Standard Alliance (CHS), which is discussed in the next section, serve the purpose of establishing transnational standards to guide INGO actions and institutionalize professional norms. Accountable Now was founded in 2008 as the INGO Accountability Charter by ten INGOs establishing self-policed accountability standards beyond the existing local legal requirements, and now operates as an independent entity reminding INGOs about the need for regularly improving their accountability practices. Accountable Now's 2016 report to its members highlighted a recent study which found "that only three out of 40 CSOs responded with an appropriate answer to a complaint test within three weeks" (Accountable Now 2016). The report also noted several areas where its members should improve their policies and practices including impact measurements and unequal power relations within partnerships. As INGOs accept greater scrutiny of their behavior, they are likely to face continued criticism and a persistent public discourse about their shortcomings.

Beyond narrow accountability practices, the rise of the human rights framework and repeated humanitarian crises, including the Biafra-Nigeria war in the late 1960s and the Rwandan genocide in 1994, have generated much debate about the basic norms governing the process of humanitarian action. While neutrality and impartiality define traditional humanitarian interventions as pure charity designed to secure access to conflict zones, some INGOs engaged in more overt political advocacy as a way of distancing themselves from the perceived failures of the past. For individual organizations, these debates create more controversy (O'Brien 2004), but also offer an expanded menu of how to legitimize their actions within the broader context of humanitarian norms established by the International Committee of the Red Cross (ICRC).

### ***Responses to performance-related legitimacy challenges***

INGOs have responded with a mix of pushback and compliance to the rise of overhead-focused watchdogs such as Charity Navigator. Similarly, the more recent growing push for documenting measurable outcomes and evidence about a return on (donor) investment has led to expanded efforts to communicate more than just human "feel-good" stories to stakeholders. The core challenges INGOs and other non-profits face in this regard include how to generate knowledge about their effectiveness and the costs associated with measuring outcomes, especially long-term impact or advocacy efforts. Randomized-controlled trials (RCTs) can offer answers in some areas but have limited applicability for many INGOs focused on broad social or policy change. As a result, many INGOs are today able to quantify who is affected by their work, but still struggle to systematically capture what difference their efforts make.

InterAction, the main umbrella organization representing the humanitarian and development sectors in the United States, began in 2008 to develop the idea of mapping projects of its members. The first such map was generated in 2011 and tracked the NGO presence after the 2010 Haiti earthquake. While innovative, this approach only visualized presence, without providing more detailed data on the effectiveness of the included projects. Subsequently, InterAction has generated additional maps about the work of its members, but such collective efforts remain an exception and the majority of organizations have developed their own strategies of demonstrating results and effectiveness. While there are many more joint efforts in the

area of accountability, performance assessment has not attracted much collective action mainly because it is a key area where individual organizations can compete and distinguish themselves.

Individual NGOs have long used overhead and other performance-related metrics to signal their trustworthiness to donors. For example, Charity:water was founded in 2006 with the promise of channeling 100 percent of donations to the cause, and has recruited “angel investors” to pay for overhead spending. While this approach says nothing about the effectiveness of an organization, it does respond to well-documented donor aversion to pay for organizational capacity (Gneezy et al. 2014). All major INGOs have increased their spending on monitoring and evaluation as well as expanded their capacities to track outcome and impact. For example, in 2005 Oxfam established a new department on evaluation, learning, and accountability. More recently, it also decided to put all its program evaluations and research reports online for public access. Ten or fifteen years ago, INGOs rarely reported program failures for fear that these admissions would adversely affect fundraising. It is much more common today to find INGO annual reports mentioning struggles in the implementation of activities, which enables organizational learning.

### ***Responses to people-related legitimacy challenges***

INGOs can change perceptions about their legitimacy by becoming more representative as well as more responsive, especially to those they claim to serve. Responses to people-related legitimacy challenges have taken two primary forms: voluntary standards and digital platforms. In the humanitarian sector, the CHS Alliance was formed in 2014 through a collaboration of several related initiatives – HAP International, People In Aid, and the Sphere Project, which were founded in the mid- to late 1990s following humanitarian crises in Somalia, Rwanda, and Kosovo. The CHS Alliance’s Core Humanitarian Standard on Quality and Accountability is centered on the communities and people affected by crisis to improve the quality and effectiveness of humanitarian assistance.

The CHS Alliance advances commitments intended to improve process legitimacy by linking it to people legitimacy. The standards create opportunities for meaningful participation by crises-affected populations by developing complaints procedures for providing feedback on INGO activity, as well as establishing a right to receive a response to that input. A recent report finds mixed results. At the process level, the CHS Alliance standards still reflect power imbalances in the sector; initiatives are mostly developed by aid providers with little consultation with aid recipients and affected communities lack information necessary to hold aid organizations to account. At the people level, these accountability initiatives in the humanitarian sector have increased empowerment among participants who are more willing to demand accountability from duty-bearers (CHS Alliance 2015: 12). Follow-through on these demands remains weak; however, INGOs struggle to be responsive to complaints from project participants (CHS Alliance 2015: 13). On balance, although these initiatives have improved accountability practices, they have prioritized process rather than people legitimacy. In this sense, measures designed to enhance legitimacy may inadvertently reinforce existing power inequities and the very distrust they were designed to eliminate (Keating and Thrandardottir 2017).

Many INGOs have begun to use digital tools to address questions of people legitimacy and engage more directly and meaningfully with their membership. For example, Greenpeace’s MobilizationLab (MobLab) has worked since 2011 to innovate how the organization advances its environmental mission. MobLab represents an answer to the failures of traditional staff-led campaigning and shifted to a new model of supporter-led organizing. The fundamental shift in perspective meant that INGO staff no longer viewed their external audiences as mere potential constituents or supporters, but as partners and even leaders. Digital tools then not only accelerate

communication between an organization and its stakeholders, but actually give ownership over topics and campaigns to individuals who use their social networks in recruiting more supporters and enhance the effectiveness of activism by increasing the quantity *and* the quality of engagement. Expanding popular support for campaign causes through digital tools can then play a key role in enhancing the legitimacy of INGOs (Hall and Ireland 2016).

## Conclusions

This chapter has offered an overview of INGO legitimacy challenges as well as an analysis of how these organizations have responded collectively and individually. We see many INGOs increasingly caught between two contradictory trends: on the one hand, INGOs have increasingly gained recognition and support from society at large and more established actors, such as the United Nations, governments, and the business sector. On the other hand, this increased visibility and engagement with INGOs has produced a greater number of critics – including academics, political opponents, or those that see these groups not deliver on promises – who challenge the basic purpose and existence of the sector.

A key challenge for INGOs and their leaders today is when and how to align the four legitimacy dimensions presented here. If they fail to do so, different legitimacy pressures will exacerbate tensions and the observed lack of coherence. For example, INGOs may emphasize efficiency and reduction of overhead costs to the detriment of investing in their strategic capacities and stakeholder engagement. Or they may focus significant attention on the legitimizing power of international norms and donors, but neglect developing relationships with local communities (Balboa 2014). INGOs have to understand not only the different demands of each legitimacy dimension, but also their interactions and trade-offs.

In our view, this is also a key area for future research. Our discussion highlights a number of paradoxes that result from competing demands on individual INGOs and INGO collectives. Furthermore, our analysis suggests the importance of examining legitimacy in longitudinal context for two reasons. First, historical analysis helps tease out how social contexts and legitimating audiences interact to (de)legitimize INGO practices such as “poverty porn.” Second, our discussion shows how solving legitimacy problems in one time period (i.e. adopting RBA after failed humanitarian interventions in the 1990s) creates new legitimacy problems in subsequent eras (i.e. demands to devolve power to NGOs in the Global South). We believe that the 4 Ps framework provides a useful analytical tool to enable investigation of legitimation processes across units of analysis and time.

While the sector has significant innovative capacity based on the continuous emergence of new groups, the resulting fragmentation undermines its capacity to act proactively and collectively in shaping external perceptions of its legitimacy. INGO legitimacy issues are ultimately about the very purpose of the sector. The existence of government or private enterprise has certainly not gone unquestioned, but the level of doubt about INGOs (or non-profits more generally) is more prevalent than in other sectors and it is often generated from inside the sector. There is persistent skepticism that these groups can actually deliver on promises as well as questions about whether donors supporting these groups are ultimately really interested in seeing their missions accomplished (Seibel 1996). The sector continues to assure the public that “something is being done,” but struggles to demonstrate sustainable success and rarely pushes its donor base in the Global North to understand how their consumer or environmental behavior directly contributes to the problems these groups address. With broad mandates and many stakeholders, any efforts to address the legitimacy crisis point toward a need to define more clearly the fundamental purpose of the sector and its organizations.

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# NGO accountability

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Accountability is a word that does not have a direct translation in many of the world's languages, and yet it is a concept that is inescapable in the NGO sector. Regularly intoned by organisations as being a touchstone principle in their work, accountability has acquired a 'taken-for-granted' status of a principle to which all NGOs should aspire. Donors attach more importance to information disclosure than ever before, and contemporary discourse about aid emphasises the right of recipients to demand answerability from aid providers. This was underlined by the intense backlash experienced by Oxfam GB when claims surfaced about the sexual exploitation of Haitian women by fieldworkers. Oxfam was lambasted for not disclosing full details to the UK's Department of International Development (DFID), having poor safeguarding procedures and failing to ensure that the perpetrators were not subsequently employed in humanitarian work. DFID threatened to withdraw Oxfam's funding, and thousands of people cancelled their subscriptions in outrage at their 'lack of accountability' (Edwards 2018). Rarely discussed in the sector just a few decades ago, NGOs now risk reputational suicide if they fail to demonstrate high standards of accountability.

This chapter outlines the different dimensions of NGO accountability through the analytical lens of stakeholder theory, which is the most common frame used by practitioners and scholars. It focuses on the practical issues of implementing accountability by identifying different mechanisms and procedures associated with each set of stakeholders. It also serves as an introduction to areas of theoretical contestation in the academic literature. It is structured in six sections. The first section discusses the emergence of the accountability agenda from the end of the Cold War. Subsequent sections examine upward accountability, downward accountability, internal accountability and horizontal accountability. The chapter concludes by reflecting on directions for future research.

## **The emergence of the accountability agenda**

The 'accountability agenda' refers to the increased profile of accountability issues in the NGO sector since c.1990s, and the drivers behind various initiatives to enhance NGO accountability. It is helpful to consider the emergence of this agenda in the context of factors that fuelled the proliferation of (especially service provision) NGOs since the end of the Cold War (Edwards



and Hulme 1995). Major donors boosted foreign aid funding for NGOs, arguing that they were more likely to be efficient at delivering results, and less corrupt, than state actors. This neoliberal discourse was primarily promoted by the US and UK, which are among the world's largest bilateral donors, and have significant agenda-setting power in international organisations and multilateral aid agencies. It reflected their ideological commitment to 'roll back the state', based on the conviction that the private sector provides better outcomes than public actors (Crack 2013a). The electorate also became increasingly vocal in their protests about the mismanagement of aid, which was popularly attributed to corruption of state officials in developing countries (Bauhr et al. 2013). However, NGOs were not just blindly trusted by donors to deliver results; they were expected to measure their performance against key indicators and provide evidence that they had achieved intended outcomes. This approach was inspired by the New Public Management (NPM) model which was transforming the public services in donor countries (Goetz and Jenkins 2002: 80). In accepting state funding, NGOs had to commit to transparency in their use of funds, and had to demonstrate that taxpayers' money was spent responsibly. Therefore, the accountability agenda arose against a backdrop of neoliberal managerialist discourse (Edwards and Hulme 1996).

The agenda has been latterly propelled by the impact of persistent scandals. Lurid tales of 'NGO sleaze' emerged over the years, including financial impropriety, inflated salaries for CEOs, mismanagement and sexual abuse of aid recipients (Gibelman and Gelman 2004). The bad publicity tarnished the image of NGOs as trustworthy actors. Accountability measures are invoked as responses to periodic crises of credibility that threaten to damage public perceptions of the sector (Gourevitch et al. 2012).

But it would perhaps be excessively cynical to regard the accountability agenda as entirely driven by the political interests of donors and organisations keen to protect their 'brand'. As will be seen, some have argued that there is compelling evidence that NGOs pursue the agenda partly because of their conviction that they have a moral duty to their stakeholders to be accountable (Deloffre 2016).

The accountability agenda is shaped by complex configurations of motivations, relationships and mechanisms. Debates revolve around two fundamental questions: (a) to whom should NGOs be accountable? and (b) what should they be held accountable for? These questions are inherently controversial, but the settled view in the NGO sector is that accountability is relational, and involves responsibilities to multiple stakeholders (Ebrahim 2003; Edwards and Hulme 1995; Gray et al. 2006; Najam 1996). The stakeholder approach conceptualises NGO accountability relationships as multidirectional: upwards, downwards, internal and horizontal.

## Upwards accountability

Upwards accountability refers to the accountability responsibilities that NGOs have in their relationships with donors and governments. These responsibilities mainly fall within two categories: financial and legal accountability.

NGOs are said to have an obligation to be financially accountable to their donors. 'Donors' are technically any person or organisation that donates money to NGOs, although the term is most commonly used to refer to major institutional donors (e.g. states, international organisations). Donors are deemed to have the right to information about how their money is spent; and it is usual practice for institutional donors to award grants with conditions attached regarding transparency about expenditure. This can range from a fairly minimal approach (e.g. providing an end-of-project financial report) to a more information-intensive approach (e.g. regular reports that assess interim outcomes against key performance indicators).

Such donors expect NGOs to submit a funding application that details how the organisation plans to meet all the donor's objectives within a specified time frame, with a clear strategy for monitoring and evaluating performance. Often this is detailed in a 'logical framework', or 'log frame'. Supporters of the log frame argue that it enhances professionalism across the sector by encouraging tight focus on objectives and responsible fiscal management. It wards against waste and inefficiency and prevents 'project drift' by promoting strategic thinking. It is argued that NGOs will be dissuaded from making inflated claims and unfeasible promises if they are kept under pressure to provide an evidence base.

The log frame has been widely derided by sceptics who see it as emblematic of a technocratic and inflexible approach informed by NPM precepts (Mawdsley et al. 2005). It is said to be divorced from the complex, messy reality of social change, which cannot be adequately assessed by abstract standardised indicators or within the short lifespan of a project cycle (Wallace et al. 2007). Grant applicants may be tempted to minimise the appearance of uncertainty in their plans to increase their chances of success in the intense competition for funds. Critics also charge that the pressure to deliver against a results-based framework can engender fear among NGOs that they are likely to be 'punished' by the donor for admitting failures, which is particularly acute if the NGO is heavily dependent on the donor for funds (Bornstein 2006). This leads to a 'sweep it under the rug' problem, despite donor/NGO rhetoric about the importance of reflecting on failures to assist 'organisational learning' (Ebrahim 2005). In addition, practitioners report concerns about how the bureaucracy associated with rigorous reporting mechanisms distracts them from devoting time to work regarded as more closely aligned with their mission (Crack 2016). Finally, scholars warn that governments could leverage upward accountability for political purposes, i.e. to create a more pliable and docile NGO sector that is less likely to criticise the authorities (Ebrahim 2003; Najam 1996).

Legal accountability is another facet of upward accountability. NGOs are, of course, expected to follow the laws of their home countries and the countries within which they operate. These include NGO-specific laws and regulations (Bloodgood et al. 2013). For example, NGOs in England and Wales can register as charities with the Charity Commission, to gain preferential tax status. In return, they have to abide by charity law, including providing detailed information on their activities each year. The Commission takes enforcement measures in cases of malpractice or misconduct. Those in favour of a robust regulatory regime for NGOs argue that the sector has long been plagued by corrupt outfits engaged in money laundering, embezzlement and other criminal activities. There are a number of disparaging nicknames for such organisations, such as 'briefcase NGOs', denoting NGOs that only exist on paper (Dicklitch 1998: 9). Regulations can help to enhance donors' confidence that money given in good faith is handled responsibly.

However, in countries where civil liberties are fragile, regulations may be designed to make it very difficult for organisations to operate. Recent years have seen a rise of restrictive legislation around the world seemingly intended to outlaw and intimidate organisations that promote progressive values or that are critical of government (Rutzen 2015). Civic spaces are being shrunk at an alarming rate. CIVICUS (2017) has made the claim that only 3% of the world's people live in countries where fundamental civic freedoms are fully respected. In countries as diverse as Hungary, Israel, Russia and Ethiopia there has been a crackdown on foreign-funded NGOs, which can be interpreted as a sop to nationalist sentiment and a sinister attempt to insulate governments from criticism of their human rights record (Dupuy et al. 2015; International Center for Not-for-Profit Law 2016). In short, legal accountability can be used by the authorities to suit their own nefarious ends, rather than the public interest (Dupuy et al. 2016).

A frequent topic of debate in the literature is the extent to which NGO behaviour is motivated by cost-benefit rationality as opposed to the values enshrined in their mission. NGOs are

often accused of prioritising upward accountability over the demands of their ‘beneficiaries’ and of having a relationship with their donors that is ‘too close for comfort’ (Banks et al. 2015). NGOs have been portrayed as instrumental actors that pursue organisational survival and regard ‘the cause’ as a secondary consideration. They pursue opportunities to acquire funds and attract media attention (Bob 2005; Cooley and Ron 2002). They observe fluctuating donor fashions to capture funds, even if these are disconnected from their missions and from what is deemed important at the grassroots (Edwards and Hulme 1995). According to this perspective, NGO self-interested behaviour is not dissimilar to firms in the profit sector. Others defend the distinctiveness of NGO behaviour even whilst acknowledging the tendency for upwards accountability to dilute attention to the cause. These scholars view NGOs through a constructivist lens, arguing that their behaviour is distinguished by the values that inform their constitution and practices (Rothschild and Milofsky 2006). They argue that values such as voluntarism, service and charity are distinct from the profit sector, and can shape NGO behaviour in significant ways (Claeyé 2014: 26). There is not a sharp division between these two perspectives; the difference lies in the emphasis. Both agree that financial imperatives exert a powerful pull on decision-makers inside NGOs.

The NGO sector contains vast inequalities in influence, resources and capacity – particularly between the global North and the global South. Development studies scholars have highlighted concerns about the subordinate position of Southern NGOs (SNGOs) vis-à-vis Northern NGOs (NNGOs). In an aid chain, SNGOs will receive institutional funds channelled through a NNGO partner. The NNGO adopts the position of donor in this context, and the SNGO is subject to NNGO accountability demands. According to the resource-dependency perspective, the heavy reliance of SNGOs on Northern funds will compel them to accept donor preferences and abide by bureaucratic accountability procedures, even if these are time-consuming and culturally inappropriate (Chambers and Pettit 2004; Wallace et al. 2007). However, others have cautioned against simplistic characterisations of an ‘aid chain’ and suggested that SNGOs can find creative ways to exert a significant measure of autonomy in a funding relationship. SNGOs can escape the more stifling aspects of upwards accountability if they have sufficient organisational capacity, resourceful personnel and local sources of income (Elbers and Schulpen 2011; Olawoore 2017). Brehm (2004) finds that Southern NGOs with the greatest capacity for action in a partnership exist in countries where overall aid dependence is low.

## **Downwards accountability**

Downwards accountability is used to describe the accountability responsibilities that NGOs have towards the people and communities that they represent and serve (typically called ‘beneficiaries’, especially by humanitarian and development NGOs). Downwards accountability, little heard of before the 1990s, has now become an established part of NGO discourse and donor rhetoric. It places beneficiaries squarely at the heart of the NGO’s mission and grants normative power to the demands of communities to play a full role in the design and implementation of projects.

Organisations have their own unique definitions of what they understand downward accountability to entail, but generally these seem to converge on the following factors: (a) being answerable to communities for actions/inactions; (b) enabling communities to participate in decisions about NGO activities that potentially affect them; (c) enabling communities to have input in monitoring and evaluation processes; and (d) an obligation on NGOs to reflect on ‘lessons learned’ as a result of community interaction. The notion of downwards accountability has its roots in theories of ‘people-centred development’ and ‘rights-based development’ (Eade 1997; O’Leary 2016). These theories argue in favour of a move away from a ‘top-down’

approach to aid towards an approach that empowers the grassroots by enabling people to be agents (rather than subjects) of their own development (Uvin 2007). It seeks to uphold the dignity of recipients of aid. Practices and policies of downward accountability are far more developed in humanitarian and development work compared to advocacy, partly because of this intellectual heritage.

Organisations attempt to implement downwards accountability at strategic points in the project cycle. ‘Needs-based assessments’, which solicit feedback from potential beneficiaries about their preferences on aid and services, are conducted at the beginning of an intervention to inform project design (and can be a prerequisite of grant applications to institutional donors). Monitoring and evaluation (M&E) and ‘outcome measurement’ activities conducted throughout the life of the project often include consultation with communities, although practice is varied (Benjamin 2013). Mechanisms of downward accountability include consultation with community ‘gatekeepers’, village assemblies, social audits, workshops, role-play, text messaging, crowdsourcing initiatives and so on. The ways in which NGOs seek feedback could depend on donor demands, the research capacity of the NGO (fieldworkers may not have specialised training) and the funding for such activities, which tends to be limited in a time of squeezed administrative budgets. It will also depend on the characteristics of the beneficiary population. Development NGOs have long experimented with ‘rural appraisal’ techniques for poor communities, designed to enable the most disadvantaged members of society to meaningfully participate in decision-making (Chambers 1994). Good practice dictates that specially tailored participatory techniques are required for vulnerable and marginalised groups (e.g. children, women-at-risk, illiterate persons) to enable them to ‘speak and be heard’. This will require attention given to the spaces within which beneficiaries participate (are they child-friendly? Can women speak out without being inhibited by the presence of men, and/or the fear of reprisals from power holders in their community?), as well as the medium through which beneficiaries participate (e.g. can non-textual and culturally appropriate forms of participation be created for illiterate populations?).

Self-regulatory initiatives such as Accountable Now have promoted complaints mechanisms to allow people to ‘blow the whistle’ when they encounter abuse or malpractice, rather than wait to be consulted at a scheduled time in the feedback cycle (Accountable Now 2014). Anonymity is key if aid recipients fear the possible consequences of speaking out. Complaints mechanisms are not widespread, but NGOs have experimented with suggestion boxes and mobile phone technology to enhance their accountability.

Proponents of downward accountability argue that it helps to tilt the power balance towards beneficiaries who have too long been regarded as objects of charity and denied the right to shape decisions that impinge upon their lives (Hickey and Mohan 2005). The most vulnerable beneficiaries may not have the luxury of choice in boycotting aid, particularly if the NGO concerned is the only service provider on the ground. They therefore lack both ‘voice’ and ‘exit’ accountability (Hirschman 1970). Feedback and complaints mechanisms, advocates argue, are an imperfect means to compensate beneficiaries for their relative powerlessness.

Critics of downward accountability charge that it too often fails to live up to its ideals in practice. Participation exercises can be tokenistic, self-serving measures to convince donors that aid projects meet the needs of the poor (Leal 2007). Questions can be phrased in a leading way to validate decisions that have already been taken by the NGO about the design of the project, or to prompt a positive response to evaluation questions. The power structure in the donor–NGO–beneficiary relationship is such that the latter will be at a disadvantage unless unusual conditions prevail (Andrews 2014). The subject, timing and purpose of any consultation will be established by the NGO/donor, and designed to address the donor’s priorities (typically

determining whether a project has achieved ‘impact’ and delivered ‘value for money’). The methodology and data collection process are in the control of the NGO, as are the analysis and presentation of results. In other words, the narrative about consultation is established by the NGO and likely to be motivated by fear of displeasing the donor (Krause 2014). In this context, suggest critics, it would be naive to expect the ‘beneficiary voice’ to have meaningful effect. It is far more likely that the consultation exercises will be an empty ritual, useful only in lending a false sheen of credibility to development projects. Ironically, such ‘participation’ may be a particularly pernicious form of disempowerment, if a project is portrayed as legitimised by ‘beneficiaries’ who have been effectively muffled by the structural conditions of the consultation (Cooke and Kothari 2001).

Critical development scholars have questioned the use of the term ‘beneficiary’. They argue that it is suggestive of a neocolonial mindset, rooted in missionary times where ‘natives’ were thought to be in need of Westerners who could ‘save’ them from poverty, pestilence and poor governance (Manji and O’Coill 2002). It implies that beneficiaries will actually ‘benefit’ from interventions by NGOs, and so any conversation between communities and NGOs regarding the evaluation of a project is framed in terms of an assumption that aid is inherently a ‘good thing’ for those who receive it (Crack 2013b). Critics are sceptical of downward accountability initiatives, arguing that activities take place within a framework redolent with the history of colonial exploitation, which implicitly patronises aid recipients and validates the role of the NGO. Some humanitarian and development actors have been experimenting with different terms in acknowledgement of these criticisms, such as ‘intended beneficiaries’, ‘stakeholders’, ‘affected populations’ and ‘people and communities’.

Postcolonial scholars are not convinced that changes in terminology indicate that NGOs are departing from ‘business as usual’. They argue that NGOs are a pernicious instrument of Northern ‘soft power’, which are used by governments to extend control over former colonial territories through foreign assistance (Hoffman 2000). The expansion of Northern-based NGOs into the global South has depended on assumptions that indigenous populations cannot be trusted to run their own affairs. NGOs exploit these assumptions for their own benefit. For example, fund-raising campaigns use dehumanising pictures of impoverished people (usually infants) to emphasise their helplessness. These depictions of the ‘foreign other’ are used by NGOs to construct their identities as ‘rescuing heroes’ (Hanchey 2016). According to the post-colonial critique, then, the relationship that NGOs have with aid recipients is deeply embedded in patterns of international power and informed by historical discourses of colonialism. It is not therefore impossible for aid recipients (whatever the NGO chooses to call them) to hold NGOs accountable in meaningful ways.

## Internal accountability

Another part of the accountability relationship web is internal accountability (or lateral accountability). Internal accountability refers to the responsibilities that an NGO has as its mission and to the people that are part of the organisation, including staff, volunteers and members. It also refers to the obligations of the governing body and the executive body.

Christensen and Ebrahim (2006), in their discussion of an organisation’s relationship with staff and volunteers, point to several examples of relevant accountability mechanisms, including staff meetings, performance appraisals and training opportunities. Initiatives such as ‘People in Aid’ (now subsumed into CHS Alliance), which promoted good practice in human resource management, have helped to raise expectations in the sector about how staff/volunteers should be treated. However, NGOs have recently faced fierce criticism for their failures to address

bullying, sexual violence and discrimination. The exposé of sexual misconduct of Oxfam staff in Haiti encouraged hundreds of aidworkers to go public with stories about their experience of sexual harassment and abuse from managers and co-workers. DFID and other donors demanded that NGOs implement immediate improvements in their policies and safeguarding procedures, including increased protection for ‘whistleblowers’ (Edwards 2018). The incident, labelled the sector’s #metoo moment, heightened awareness of how organisational culture can enable abuse of power, and undermine internal accountability.

NGOs are the ‘organizational expression of their members’ ethical stance towards the world’, but accountability to members tends to be overlooked in the literature (Rothschild and Milofsky 2006: 137). For the membership, efforts to incorporate their views in designing policy strategy can help to foster a sense of inclusion and belonging. AGMs, branch meetings, national, regional and international forums and conferences all count as part of internal accountability. Some NGOs consult their membership about the strategic direction of the NGO, although this is atypical. Actual practice varies widely depending on the structure and the resources of the NGO. Amnesty International has perhaps the most developed system of membership consultation and participatory decision-making for an organisation of their size; although even here concerns have been raised about the prioritisation of accountability to powerful stakeholders (O’Dwyer and Unerman 2008). A downside of membership consultation is that it can hinder an organisation’s ability to respond to fast-moving events, because it is hampered by laborious (and resource-intensive) decision-making procedures.

An organisation’s ability to meet its multiple accountability responsibilities is in large part determined by how it is governed. Many NGOs contain a governing body (e.g. Board of Trustees) and an executive body (e.g. CEO and senior management). The former is tasked with exercising oversight of the latter. The board defines the mission of the organisation and determines its overall strategic direction. It scrutinises the financial accounts and is responsible for ensuring compliance with laws and regulations. It is responsible for ensuring that the organisation fulfils its duties to stakeholders. National charity law and regulations usually stipulate that a strong internal governance and management structure needs to be in place before an organisation can be registered. There is extensive guidance on best practice in NGO governance, which is available from official regulatory bodies and independent organisations such as BoardSource and the National Council for Voluntary Organisations (NVCO).

Good governance guidelines advise that board members should be recruited according to their skillset. Each member should provide expertise deemed necessary for the board to do its job effectively. The board should maintain a professional distance from the staff and not be afraid to ask tough questions about management and performance. However, nepotistic and poorly functioning boards exist in all regions of the world, particularly in countries with high levels of corruption. Smillie and Hailey use evidence from South Asia to argue that ‘many NGO boards act more as rubber-stamp cheering sections than as the policy formulation bodies so beloved of non-profit management literature’ (2001: 108). Likewise, Tandon identifies several modes of governance prevalent in South Asia, in addition to the ‘rubber stamp’ model. These include ‘family boards’ that operate with the informality and trust that are typical of family-run businesses (Tandon 1995: 55). This (usually patriarchal) set-up undermines efficiency and accountability. It can be difficult for such boards to provide an unbiased and balanced perspective on how the organisation can meet its long- and short-term challenges. Evidence suggests that diversity in board composition, which can provide a broad range of viewpoints, can improve organisational performance (Mori et al. 2015).

NGO boards face more difficult governance challenges than their corporate counterparts. The former has to attend to a more diverse range of stakeholders than the latter. NGO boards



are tasked with promoting the mission as well as the financial health of the organisation, whereas boards in the profit sector have a narrower focus on profit maximisation (notwithstanding commitments to corporate social responsibility). Large international NGOs (INGOs) with a federalised structure face particularly daunting challenges because their governing bodies are composed of representatives from several national-level member organisations. A balance has to be struck between ensuring that the internal policy process is efficient, and ensuring that representation in decision-making is perceived as fair. INGOs tend to allocate the distribution of votes and seats on the executive according to geographic forms of representation. However, most INGOs originated in the global North and so historically there have been fewer national-level member organisations from the global South that can participate in decision-making. Instead, Southern states have tended to host country offices that are poorly funded relative to the rest of the organisation. INGOs have therefore often faced accusations that their governance and structure does not reflect the international composition of the organisation. Critics charge that this is detrimental to internal accountability, since decision-making procedures do not enable the organisation to fully take into account the views of all members. INGOs like Amnesty International and Oxfam have responded to these criticisms by radically overhauling their governance and financing mechanisms to rebalance power towards members in the global South. Some NGOs have also attempted to enhance inclusiveness by inviting members of stakeholder communities to sit on governance boards and form advisory panels (Brown et al. 2012). Of course, the extent of the representativeness of such appointees can be called into question.

The theorisation of NGO governance has been underdeveloped compared to the literature on corporate governance (Coule 2015). Little consensus exists over what constitutes performance for NGO boards (Boeteng et al. 2016). Debate on the functionality of NGO boards revolves around agency theory and resource-dependency theory (Callen et al. 2010). Agency theory focuses on issues that arise when boards attempt to hold the executive accountable in conditions of asymmetric information (Miller 2002). Agency theorists advise that it is the responsibility of the board to ensure that management's interests do not undermine the organisation's interests (for example, by inflating running costs to levels that threaten the organisation's ability to meet its strategic goals). Resource-dependency theory focuses on how organisational behaviour is shaped by the need to acquire resources that ensure its survival (Malatesta and Smith 2014). According to this perspective, the function of the board is to increase revenue and diversify streams of income, in order to reduce resource dependency. Miller-Millesen (2003) and Callen et al. (2010) suggest that both of these approaches can be complementary in evaluating NGO board functionality, as they capture different, but equally valid, aspects of board performance.

## Horizontal accountability

Horizontal accountability (sometimes termed 'peer' or 'mutual' accountability) describes the responsibilities that NGOs have to work with their counterparts to raise accountability standards across the sector. The mechanisms through which NGOs have sought to do this are variously called self-regulation initiatives, peer regulation initiatives, standards and accountability 'clubs'. A 'code of conduct' tends to refer to self-regulation initiatives that are entirely voluntary and include no formal means of verification. 'Certification initiatives' denote a form of self-regulation whereby the performance of the NGO is monitored and formally assessed (e.g. by an independent party). If the NGO is found to be adhering to its commitments, it is awarded a certificate of verification. Horizontal accountability has led to the proliferation of regulatory regimes all over the world (Bies 2010; Gugerty 2008).



Humanitarian NGOs have spearheaded self-regulation initiatives, prompted by the tragedy of Rwanda, where the mismanagement of the aid camps in Goma arguably led to the perpetuation of the conflict (Walker and Purdin 2004). Perhaps the best known is the Sphere Project, established in 1997 by a consortium of leading aid agencies. It provides a freely downloadable and immensely detailed set of guidelines for aidworkers about the recommended minimum standards in humanitarian response. It is available in a growing array of languages, and is amended and updated in consultation with numerous stakeholders (Sphere Project 2011). The Sphere Project does not have a formal monitoring and compliance procedure. This contrasts with initiatives with a certification option such as the CHS Alliance (see Deloffre and Schmitz, Chapter 41 in this volume, for further details).

Initiatives specifically targeting development or advocacy organisations are scarce. This may be partly because it is arguably easier for humanitarian NGOs to identify their beneficiaries and produce standards based on quantifiable outcomes (e.g. number of vaccinations). This is far more problematic for a development NGO that is seeking to 'empower marginalised communities', or an advocacy NGO that exists to 'raise awareness' about an issue. How can indicators be developed to assess whether these nebulous goals have been achieved? One notable initiative that has attempted to bridge this divide is *Accountable Now*, which proclaims to be the only global multi-sectoral initiative. Member organisations are required to submit annual reports every year detailing their performance against 12 *Accountability Commitments*, which are assessed by an Independent Review Panel (*Accountable Now* 2016).

Monitoring and sanctioning mechanisms vary widely. Data collected by Trembley-Boire et al. (2016) suggests that the most robust procedures are more likely in initiatives that are focused on fund-raising, provide certification and have greater longevity. Stringent monitoring and sanctioning is also more likely if initiatives are based in a single country and in a non-OECD country.

Self-regulation has been welcomed as an important development in the way NGOs seek to be accountable, encouraging greater professionalism and higher expectations of stakeholders, which drives up NGO performance. There is evidence that NGOs experience an increase in public support after joining robust regulatory initiatives (Feng et al. 2016). Enthusiasts argue that they lend greater force behind beneficiaries' demands for NGOs to be answerable for their conduct. They also provide opportunities for NGOs to share learning. Although imperfect, it could be argued that self-regulation can deliver a 'good enough' solution to accountability deficits that cannot otherwise be easily resolved (*Emergency Capacity Building Project* 2007). It provides at the very least a means for stakeholders to wield the sanction of reputational damage, since the initiatives could be used to shame organisations that do not honour their commitments.

There is, however, substantial doubt about whether self-regulation initiatives are actually effective in enhancing NGO accountability. Practitioners complain that they impose an onerous bureaucratic burden on organisations, which struggle to keep up with constantly shifting reporting requirements (Crack 2016). Small organisations may not have the time or resources to compile complicated reports measuring their performance against a variety of indicators. Likewise, organisations from the global South (especially those that speak minority languages) may not have the capacity to participate. International, high-profile organisations find it relatively easier to demonstrate compliance, and they can exploit the opportunity that self-reporting provides to portray themselves in a positive light (Dhanani and Connolly 2014). Such large NGOs may not have the highest standards of accountability in practice, since small grassroots organisations with strong roots in the community can have very effective 'bottom-up' accountability (Awio et al. 2013). Nonetheless leading NGOs have the capacity and skills to meet the administrative requirements. Thus, self-regulation can solidify the power imbalance between large/small,

Northern/Southern organisations, if adherence to standards is regarded uncritically by donors as the only benchmark of credibility.

Sceptics raise questions about whether self-regulation can actually enhance the reputation of an NGO. Jepson (2005) argues that a formal 'audit approach' to accountability is unlikely to improve perceptions of NGO authenticity and integrity. He recommends that organisations develop accountability regimes that are aligned to their historic roots in social movements. Similarly, Keating and Thrandardottir (2017) argue that the more NGOs try to boost their trust by engaging with the accountability agenda, the more they may erode the social base of trust between NGOs and individual donors. This paradox arises because the accountability agenda is premised on misguided rationalist assumptions of what constitutes trust.

There have been criticisms of the ways in which standards apply uniformity on organisations that are very distinct in their missions, objectives and operations. Multi-sectoral standards such as *Accountable Now* presume that all organisations can be evaluated the same way. However, humanitarian, development and advocacy NGOs have very different considerations to weigh in devising an accountability approach that is appropriate to the specific context within which they work (Crack 2017). McGee (2013) notes that standards can be ambiguous on the identity of accountability claimants when they incorporate a very dissimilar and disconnected group of actors.

A subject of growing interest in the literature is the question of what motivates NGOs to join self-regulation initiatives. One school of thought is 'club theory', informed by principal-agent theory, which interrogates the issues that arise in NGO-stakeholder relationships characterised by competing interests. 'Accountability clubs' are a way for stakeholders (or principals) to ensure that the NGO (or agent) is abiding by its commitments. This will particularly be in the interests of stakeholders should the NGO have an incentive to 'cheat', and if it is not possible to monitor the NGO any other way. Clubs provide a reputational signal about agents to principals. A strong signal will be sent to principals if the standards, monitoring and enforcement procedures are robust, and the club is perceived as credible. Club theories argue that NGOs join clubs in the expectation that membership will be advantageous. For example, it could help to maintain or increase donor funding, and/or pre-empt the threat of government interference and new forms of restrictive regulation (Gugerty and Prakash 2010). Agents can also gain from positive 'network effects' from club membership, and enhance perceptions of their trustworthiness through their association with other organisations generally assumed to be credible (Prakash and Potoski 2006: 33).

An alternative interpretation is offered by the constructivist approach, which emphasises the influence of social identities and shared norms in shaping forms of self-regulation. Although constructivists do not deny the presence of self-interest, they are interested in how NGOs are incentivised by concern for shared values, and opportunities to engage in social learning. Deloffre, for example, interprets the emergence of self-regulation post-Rwanda as the outcome of collaboration between NGOs and donors 'that created a feeling of mutual engagement and commitment to defining collective accountability practice' (2016: 22). The insights of club theory and constructivism are not mutually incompatible, and can be blended to produce multi-faceted accounts of NGO behaviour (Crack 2017).

## Conclusion

This chapter has provided an overview of the different dimensions of NGO accountability, and the practical problems they entail. Accountability is popularly conceptualised as relational – but relationships are not always harmonious. The needs and preferences of different stakeholders can conflict, putting NGOs in an acutely difficult position as they negotiate

competing demands. Take the hypothetical example of a development NGO funded by a donor that wants human rights education to accompany service provision in a community that has strong attachment to traditional values. The community may welcome the services, but be hostile to messages that challenge societal norms. If the NGO prioritises accountability to the donor, and delivers the education activities, it could be accused of ignoring the community voice and failing to be downwardly accountable. The situation in reverse would be unsatisfactory for the donor. Accountability can be a zero-sum game.

This chapter has also outlined notable contributions to the literature on accountability from multiple disciplines. The research agenda has moved rapidly in recent years, but there are still important gaps in knowledge. Further research is needed in the following areas:

- The sector persistently struggles with the challenge of moving away from donor-focused accountability mechanisms to an accountability approach that empowers the grassroots (Ebrahim 2003; Murtaza 2012). It is crucial to explore how donors/NGOs can foster partnerships that uphold downward accountability (Burger 2012).
- Case studies on individual organisations have produced rich insights (Awio et al. 2013; O'Dwyer and Unerman 2008; Walsh 2016) but the research agenda could be usefully advanced by comparative studies to assess the consequences of different accountability practices across countries and NGOs of differing sizes and resources (Schmitz et al. 2012).
- The club theory literature would benefit from more data on how funding decisions are made by donors, to determine what constitutes a strong signal (or if any other considerations come into play). Constructivists could explore how social learning is promoted (or inhibited) by different accountability practices.
- Network analysis could be exploited to investigate how the diffusion of norms and practices between NGOs and stakeholders influence engagement with self-regulation (AbouAssi 2015).
- Although communication is central to accountability, little attention has been paid to issues of language. As observed in the introduction, 'accountability' is an Anglophone concept, as indeed are many NGO 'buzzwords'. Interpreting key concepts associated with accountability poses complex challenges to NGOs working in a multilingual environment. Future research on downward accountability could reflect on the ways that power is encoded in language (Footitt et al. forthcoming).

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