Global Civil Society: The Progress of Post-Westphalian Politics

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Keywords
nongovernmental organizations, global governance, public spheres, transnational democracy

Abstract
Despite lingering ambiguity surrounding the concept, global civil society is acclaimed by those who think they belong to it, and validated by international governmental organizations seeking legitimation for their activities. Its enthusiasts believe global civil society presages a more congenial kind of politics that transcends the system of sovereign states. Its critics deride its unrepresentativeness and complicity in established power relations. The critics can be answered by more subtle accounts of representation and by highlighting contestatory practices. Appreciation of the promise and perils of global civil society requires moving beyond preconceptions rooted in dated ideas about civil society and democracy as they allegedly function within states. Irrespective of the sophistication of such post-Westphalian moves, global civil society remains contested terrain, involving interconnected political and intellectual disputes. International relations theory proves less useful than it should be in clarifying what is at stake. Democratic theory can be brought to bear, and this encounter sheds new light on what democracy itself can entail.
INTRODUCTION

The 1648 Treaty of Westphalia is usually credited with establishing the system of sovereign states, making politics within states a categorically different activity from that between them. Whether going to war or establishing treaties or facilitating trade, politics beyond the borders of the state was solely a matter for the government of the state. Although the world was never quite like this (sovereignty never meant much for those at the mercy of colonial powers), Westphalian imagery long remained powerful for those who analyzed or acted within the global order. Global civil society brings a broader set of actors and kinds of relationships to bear in politics that is transnational rather than international.

The roots of global civil society can be traced back a century or even two, but its challenge to Westphalian imagery has since World War II gathered pace, especially during the past two decades or so. Global civil society is today a popular concept among academics and political actors alike, and it has changed the terms of discourse about and within global politics (Chandhoke 2002, p. 52). Yet what global civil society really means, the degree to which it mixes civility and activism, the extent to which it is actually global rather than merely transnational, and exactly who belongs in it, remain cloaked in ambiguity (Corry 2006, pp. 305–7). The enthusiasm with which the rise of global civil society was celebrated among those keenly aware of the pathologies of the system of sovereign states has since been tempered by conceptual questioning, doubts about the standing of those claiming to act in and on behalf of civil society, and elucidation of some decidedly uncritical roles and relationships.

In light of enthusiasm, critique, and sober assessment, this review tries to sort out where the post-Westphalian politics of global civil society now stands, especially in terms of its potential contributions to accountability, freedom, and democracy in world politics. As befits an article in a political science journal, I stress the more clearly political activities of civil society, involving activism and advocacy that can range from confrontational to supportive in relation to other power centers. This means downplaying activities such as service provision, emergency relief, development aid, commercial standardization, information exchange, and mutual support. However, I do not ignore the latter, particularly when (on some accounts) they play a political role in rendering global society governable. Particular organizations can combine (for example) advocacy and aid—think of Oxfam and Save the Children on development and relief issues. My relative emphasis on the different kinds of activity is in keeping with that found in the literature.

BEYOND THE SHADOW OF THE STATE

Conceptual discussions of global civil society often begin with a history of the idea and associated practice of civil society within nation-states, before tracing the expansion of the concept beyond the boundaries of specific states (for example, Kaldor 2003, pp. 7–8). In such accounts, eighteenth-century Europe yields the beginnings of commercial societies in which civil society emerges as a peaceful realm of social life protected from the arbitrary power of rulers, but still needing a state to enforce laws. Civil society could also be said to include the economy (explicitly in the later treatment of Hegel), though more recently it has become conventional to exclude economic transactions. It has also become common to stress the politicized aspects of civil society, as home to social movements of various sorts (Cohen & Arato 1992).

Although some might think that the ambiguity rampant in the concept of global civil society could be ameliorated through greater attention to what civil society actually does within states (e.g., Bartelson 2006), it may actually be liberating to let go of the idea that we should use state-connected politics as the necessary touchstone for any analysis of global civil society. There are several reasons for this.
First, global civil society has quite a long history of its own. As Keane (2003, p. 201) points out, eighteenth-century thinkers such as Emmerich de Vattel and Immanuel Kant envisaged an international order that was a civil society (without war), although states were essential components of that society. The idea of global civil society can indeed be thought of as a realm of civility, in which war, terrorism, draconian antiterror policies and discourse, aggressive nationalism, assertions of empire and military power, and submission to the imperatives of the capitalist market have no place. Today, though, global civil society is increasingly thought of not just as a realm of civility, but as home to a particular kind of political activity for which states may be the targets but are not otherwise full participants. In this light, the membership of global civil society can consist of social movements, the producers and consumers of old and new media, foundations, academics, individual activists and publicists, networks defined by common values or beliefs, and nongovernmental organizations (NGOs). The latter can be defined by a normative commitment (such as human rights or poverty alleviation), shared material interest (business and labor groups), religion, ethnicity, or profession. For the most part activities are civil, but they can also be disruptive and involve protests, demonstrations, and ridicule of actual or perceived power holders. This activist role is itself of long standing (Keck & Sikkink 1998, pp. 39–78), reaching back to antislavery movements in the nineteenth century, the Women’s International League for Peace and Freedom after World War I (Cochran 2008), and the activists who pushed for the Universal Declaration of Human Rights in 1948.

Second, global civil society in its recent incarnations may really not be an outgrowth of state-ordered civil society, but rather a response to globalization (for empirical support from a case study of biotechnology regulation, see Coleman & Wayland 2006). “The appearance of global civil society before the appearance of a global state and a global rule of law in effect reverses the sequence of civic development in the West” (Chambers & Kopstein 2006, p. 378). As such, it may demand analysis and understanding in terms and categories somewhat different from those established in the old state-associated civil society tradition (Corry 2006).

Third, civil society now has much more inspirational force within the global arena than within states. There are many people for whom being a part of global civil society is an important part of their identity, and a way to legitimate demands to be heard by international governmental organizations. Some of these organizations too have used the language of global civil society in efforts to consult more broadly beyond the states that set them up. For example, Japan designated an “Ambassador in Charge of Civil Society” for G-8 negotiations it was hosting (Keane 2003, p. 25).

Such inspirational force is hard to find within states. It did play a part in oppositions against the decidedly uncivil states of the Soviet bloc leading up to the revolutions of 1989; indeed, these events could be described as revolutions of civil society (Arato 1993). But that inspiration quickly yielded to laments about the weak capacity of any civil society to check the power of postcommunist governments that, though elected, were otherwise reluctant to accept any limits on what they could do (Bernhard 1996). Old habits of nonassociation learned under communism proved hard to break, and the concept of civil society came to name only what was missing. Within developed liberal democracies, the supportive role of what was once called civil society seems now to be discussed mostly under the heading of “social capital,” a concept not easily transposed to any transnational context, where dense face-to-face interaction is less feasible (though see Smith 1998). Initiatives such as President George H.W. Bush’s “Thousand Points of Light” and British Prime Minister David Cameron’s “Big Society” seek to induce private organizations to take on public functions, but they do not actually use the language of civil society. And in both these cases, the initiative and the terminology came from government leadership—not from what we might call civil society itself.
Paradoxically, taking global civil society out from under the shadow of the state can draw support from those who believe that civil society as a concept only makes sense when paired with a state. For Brown (2000, pp. 21–22), “civil society is the fragile achievement of a small number of Western societies. . . . For this reason, and because of the absence of an international counterpart to the domestic state, to apply the notion of civil society to developments globally is a mistake.” Similarly, Bowden (2006) observes that the global level has no state-analogue to regulate civil society in the way that is so important within states; the state is the guarantor for civil society, which can then take shape as a source of inputs to, interlocutor with, critic of, and supporter of the state. Goodhart (2005) argues that democratic civil society exists in symbiosis with a state within a defined territory, and that even antiauthoritarian civil society (as once found in Latin America and Eastern Europe) only makes sense in terms of the state it targets and wants to transform. These authors all conclude that global civil society cannot therefore rightfully be said to exist. But it would be equally valid to conclude that all the practices currently grouped under this heading really stand in need of a new name. Yet it is too late to seek a new name that would confirm this difference; “global civil society” it must be, however different that really is from the domestic entity that bears a similar name.

Treating global civil society as much more than just a transplant from state to globe does not preclude the possibility that states still matter: Chambers & Kopstein (2006, p. 378) point out that “global civil society still cannot do without the state and the nation state at that. The vast majority of organizations, associations, and movements that make up global civil society have their homes and headquarters in countries that offer them the protection and predictability of an established liberal legal order.” But what is protected can operate globally in terms very different from civil society as it was conceptualized within states.

THE RISE OF GLOBAL CIVIL SOCIETY

Although international civil society does, as we have seen, possess roots going back several centuries, global civil society seems to have taken a very rapid upswing in recent decades in terms of the amount of political and intellectual attention it receives, as well as in terms of crude indicators such as the number of international NGOs, social movement protests, gatherings of activists (such as the annual World Social Forum, which began in 2001 in Porto Alegre, Brazil), and media with an intentionally transnational reach. Keane (2003, p. 92) identifies a number of contributory factors, including economic globalization, advances in communications technology (the internet in particular), the deliberate choices of governments in establishing NGOs, and the increasing incidence of multilateral negotiations between states that inspire NGOs and activists to shadow them. Smith & Wiest (2005) find that the incidence of a state’s citizens’ participation in transnational civil society organizations is explained not by the state’s degree of integration in the global economy, but rather by the extent of its involvement in international institutions. This finding should give pause to those who argue that participation in global civil society simply reflects and reinforces economic advantage.

Civil society activity may increase in response to the perceived failure of existing governance mechanisms to confront problems effectively or to recognize key values and interests. With domestic politics in mind, Jänicke (1996) defines civil society in functional terms as public action in response to failure in the state or the economy. Such failures are ubiquitous in global politics, applying to public authority in general (such as that exercised by international governmental organizations), not just states and markets. Sometimes this failure leads NGOs to take on a substantial operational role in delivering aid and relief.
Failure motivates political action too. For example, Lipschutz & Mayer (1996) point to evident limitations in global government and relying on the market in environmental affairs, suggesting that joint action grounded in local communities but seeking transnational connection can often do a better job. Here, whether such action can actually do better is less important in explaining activity than the belief of activists that they can do better. A failure of global governance is clearly evident in the case of climate change, where years of multilateral negotiations have failed to yield effective agreement. Climate change correspondingly has long featured a very high level of global civil society activity (Newell 2000). Activists and NGOs turn up in massive numbers at the annual Conference of the Parties to the United Nations Framework Convention on Climate Change, and increasingly involve themselves in networked governance alternatives to multilateral negotiations (Bäckstrand 2008), such as the Clean Technology Fund. In contrast, the global governance of economic affairs is much more effective in both producing decisive outcomes and restricting civil society influence—although the limited neoliberal terms in which those outcomes are produced, emphasizing economic growth rather than social justice, lead to its own kind of failure and consequent activist response.

States have various mechanisms for authorizing representatives and making government accountable to the public (for example, election, selection on the basis of merit, loyalty to the party, mandated consultation process). These mechanisms are either weak or nonexistent at the global level. In taking on these functions, global civil society becomes the locus of demands for legitimacy and accountability that now pervade global governance (Scholte 2007, Grant & Keohane 2005). So if we did want to persist with tired comparisons to domestic politics, the proper counterpart would be elections and other kinds of representation and accountability mechanisms, not rule-governed social civility. Within states, accountability has come to be associated strongly with the possibility of sanctioning representatives—especially through voting against them. Given the absence of elections and weakness of other sanctioning mechanisms in global affairs, accountability therein may have to mean something different. At any rate, global civil society takes on meaning through reference to its engagement with, not just its separation from, public authority. This engagement is spurred by emerging demands for the democratization of global politics (Scholte 2002), meaning global civil society plays a large part in the thinking of political theorists when they turn their attention to the possibilities for global democracy. Many of the values that animate enthusiasts for civil society are democratic values. Later in this article I return to what democratic theorists make of these developments, and how they think about what accountability in global politics can mean.

**THE ENTHUSIASTS**

The more enthusiastic supporters of global civil society see in it possibilities not just for enhanced representation and accountability within the existing world order, but for thoroughly transforming that order in ways that would counteract its domination by large corporations, powerful states, low-visibility financial networks, and bureaucratic international organizations. Global civil society promises everything that established centers of power lack: openness, publicity, civility, inclusiveness, a broad variety of values, a potentially wide range of participants, contestation, and reflexivity. These hopes are not necessarily fully consistent with each other. For example, civility and contestation can pull in different directions, if contestation turns to ridicule (think of the “fossil of the day” awards given out by the Climate Action Network at multilateral climate negotiations, designed to shame their recipients).

Maximally, then, global civil society represents the hope for an entirely different global order. For example, Lipschutz (1992) sees in the rise of global civil society a major challenge to the
problematic states system. Falk (1998) sees “globalization from below.” Kaldor (2003) subtitiles her book “An Answer to War,” seeing in global civil society the emergence of ways to resolve conflicts and establish relationships in nonviolent fashion. The fact that shooting wars between states are increasingly rare might seem to imply there is less for civil society to do in this respect, though of course global politics remains pervaded by other kinds of violence, including civil conflicts that themselves involve transnational networks (what Kaldor 2007 calls “new wars”).

Is there any evidence for the kind of transformative role for global civil society that the enthusiasts see? The litany of successes for global civil society might begin with the Universal Declaration of Human Rights in 1948—although the hopes for a transformed global order that attended the founding of the United Nations were soon checked by the reality of the Cold War. More recent successes can be found with the campaign against land mines culminating in the 1997 Ottawa Convention (Price 1998) and the establishment of the International Criminal Court in 1998 (Glasius 2009). Stiglitz (2002, p. 20) credits the antiglobalization/global justice movement that began in 1999 with changing ways of thinking and practices in national governments and international institutions, including the World Bank (see also Schlemmer-Schulte 2001 on World Bank consultation with civil society organizations). There have been other occasions when civil society organizations and activists have been very visible, although the outcomes have been more ambiguous. On February 15, 2003, 11 million people in 700 cities in 60 countries marched against the invasion of Iraq (they were described the next day in the New York Times as “a new superpower”). The invasion of course happened anyway, but the scale of the protests did perhaps indicate the increased political costs that would attend any similar kind of military action in future.

The “Make Poverty History” campaign led by celebrities such as Bono managed to get a massive commitment from the states participating in the G8 summit at Gleneagles in 2005 to increase aid to developing countries—though delivering on that commitment was another matter entirely.

Simply enumerating success stories is no proof of transformation; it would be equally possible to enumerate failures (such as the resurgence of neoliberalism in the wake of the Global Financial Crisis of 2008 that briefly looked to have buried it), unchecked by civil society activity. Effectiveness in influencing collective outcomes on particular high-profile occasions is, however, not the only valid measure of success or reason for being positive about the role of civil society. Global civil society also offers hope for new forms of living and acting together. Keane (2003, p. 141) believes that we can find in global civil society “oases of freedom in a vast desert of localised injustice and resistance.” Given the vastness of the desert, global civil society is for Keane something that always has to be struggled for.

**THE CRITICS**

**Nobody Elected Civil Society**

Civil society can be home to some unsavory people and organizations (Heins 2004, Chambers & Kopstein 2001), such as racist militias and populist demagogues, but this is probably less true globally than within states, given the civilizing force of engagement in transnational activity. The dominant theme in criticisms of global civil society is actually unrepresentativeness. As Anderson & Rieff (2005, p. 29) put it, “Citizens do not vote for this or that civil society organization as their representatives because, in the end, NGOS exist to reflect their own principles, not to represent a constituency to whose interests and desires they must respond.” NGOs are often responsive to wealthy donors rather than any body of citizens (Jordan & van Tuijl 2006). Heins (2005) sees global civil society as composed of self-appointed representatives, coming mostly from wealthy countries, and so helping to constitute a global elite, not a counterweight to established power.
For the critics, it is easy to condemn even apparently successful interventions such as the banning of landmines as just another episode in the development of global elites (Anderson 2000). In an odd way the critics actually validate the democratic aspirations of global civil society but simply believe it falls far short of any such aspirations.

A first response to charges of unrepresentativeness might be that the charge is overdrawn. To begin, various accountability mechanisms do check the leaders of organizations, although these mechanisms involve members, contributors, governments, and other organizations and activists in networks rather than ordinary people (Wapner 2002) or aid recipients dependent on operational NGOs. Networked or peer accountability is institutionalized in associations that NGOs themselves sometimes establish to monitor their own activities. For example, a number of development NGOs consent to certification of their activities from Social Accountability International (Brown 2007, p. 27). Elitism and unrepresentativeness are themselves contested within global civil society. For example, Third World activists started the campaign of “Not About Us Without Us” as a counterpart to the “Make Poverty History Campaign” dominated by wealthy activists (Brassett & Smith 2010, p. 426). At the seventh annual meeting of the World Social Forum in Nairobi in 2007, Kenyan poor peoples’ movements protested against the claims of well-organized NGOs to represent Africa.

A better response to the charge is to ask: Unrepresentative compared to what? Compared to some ideal model of egalitarian democracy, global civil society may do badly. Compared to other realities in a global order dominated by large corporations, hegemonic states, neoliberal market thinking, secretive and unresponsive international organizations, low-visibility financial networks, and military might, global civil society does rather well. The criticisms of unrepresentativeness do not do justice to what is possible and what is not in global politics. The egalitarian democracy in whose name the criticisms are made has never existed in global politics, and there are good reasons for that.

The critics might respond that there are better ways of realizing democratic aspirations in global politics, but to date no compelling argument has been made for any such alternative. One prominent alternative involves pushing the United Nations General Assembly in the direction of an elected body, as advocated by the Campaign for a United Nations Parliamentary Assembly (http://www.unpacampaign.org; see also Falk & Strauss 2001). But global elections are a truly distant prospect, and the miserable experience of elections to the European Parliament hardly inspires optimism (these low-turnout elections are not fought on European issues, and mainly provide an opportunity for a small number of voters to vent anger at their national governments).

Evaluating the activities of global civil society in terms of some implicit ideal model of democracy is ultimately a pointless exercise. It is more useful to think of the contribution of global civil society to processes of democratization. Democratization means expanding the scope of issues subject to collective control, the effective number of people who can exercise influence over the content of collective decisions, and the competence with which such influence and control is exercised. On all three dimensions, global politics is surely better off with the activities of global civil society than without.

In light of recent developments in the theory of representation, the critics look a bit unsophisticated. Conventional theories of representation (Pitkin 1967), to which the critics are mostly wedded, stress tests of authorization and accountability. Representatives in global civil society are mostly self-authorized. Yet their representation claim can still be tested and justified. Montanero (2008) proposes tests of whether or not the representative facilitates the empowerment of those he/she claims to represent, is accountable to them, considers public reputation, and is acceptable to peers. Saward (2009) believes we should ask how connected the representative is within
the political system, whether there is a constituency to validate a representation claim, whether
the representative is independent from strategic advantage, and whether the representative is in-
dependent from the structural imperatives of any state (see also Saward 2010). In light of Keane’s
(2009) view that contemporary democracy is mostly “monitory democracy” [corresponding to
what Pettit (2006) calls the “editorial” aspect of democracy, whereby collective decisions can
be contested], we might also ask whether the representative is effective in scrutinizing policies,
proposals, and actions in light of the concerns of the constituency he or she claims to represent.

Global Governmentality

A second criticism cuts more deeply than any worries about representation, seeing the whole
ensemble of global civil society (including, perhaps especially, its nonadvocacy aspects such as aid,
relief, and information exchange) as a force that bolsters rather than challenges the established
global order. In this light, participation in civil society often means socialization into this order
(Comor 2001). Thus these critics contend that, far from pointing to a changed world order, civil
society helps make the existing world governable (Amoore & Langley 2004).

A subtle way to ponder the complicity of civil society in established power deploys the idea
of governmentality associated with Michel Foucault and his followers. For Foucault, governmentality
is the shaping of compliant subjects by dominant discourses, especially liberalism, such that society
can be rendered governable. Individuals therefore have the illusion of freedom but are disciplined
to exercise that freedom in ways that support the established political-economic order. In this light,
global civil society could contribute to global governmentality through its very “civil” qualities: it
channels putative discontent into activities that do not upset the status quo. Jaeger (2007) argues
in these terms that global civil society is actually complicit in depoliticization and fails to offer
any substantial challenge to the neoliberal status quo. For Jaeger, there may be a global public
sphere, but it is put in service as a subsystem of the global political system rather than contesting the
structural status quo of the global political economy. Jaeger’s evidence comes from an examination
of United Nations governance discourse about civil society, so it is hardly surprising that his
evidence confirms his claim, because that is not where more contestatory activities are going to
be validated.

For Bartelson (2006), global civil society follows its domestic counterpart in making society
governable and legitimating governance; as such, it has no emancipatory potential (see also Amoore
& Langley 2004). Similarly, Sending & Neumann (2006) take on the “governance without gov-
ernment” literature to argue that civil society is not an alternative to state-based power but simply
another means through which power is exercised. Thus, civil society does not challenge the power
of states but rather joins in the task of governing: “nonstate actors are enrolled to perform govern-
ance functions by virtue of their technical expertise, advocacy and capacity for will-formation”
(Sending & Neumann 2006, p. 664). But the Sending & Neumann analysis is not convincing be-
cause they look only for evidence from cases that proves their point, especially the degree to which
NGOs operate in conjunction with the (highly atypical) Norwegian government in international
affairs. They do not look for, still less recognize, contestatory possibilities in global civil society.

Global civil society can indeed also feature protest and contestation. The empirical study of
networks by Katz (2006) concludes that sometimes NGOs do seem to serve the established order
but that sometimes they can constitute a “counter-hegemonic bloc.” In this light, governmentality
analysis, however one-sided it typically proves, simply drives home the need to retain and culti-
vate such contestation. As Lipschutz (2005) puts it, working within a governmentality framework
himself, civil society needs to contest the “constitutive politics” of the way the world is organized,
rather than take its place within the “distributive politics” of the status quo. Irrespective of the
validity of such a distinction, or indeed of the finer points of governmentality analysis, contestation and its attendant reflexivity are essential in responding to pitfalls highlighted by the global governmentality critique (Munck 2006). But should civil society actors always choose contestation and radical opposition over more cooperative engagement with centers of power such as states, international organizations, and other forms of governance? Is the choice necessarily so stark?

**TERMS OF ENGAGEMENT: GLOBAL GOVERNANCE OR PUBLIC SPHERES?**

Most definitions of civil society see it as somehow separate or at least different from formally constituted public authority. Yet such separation does not sit well in a world moving in the direction of networked governance (Rhodes 1997) that blurs distinctions between public and private, between governmental and nongovernmental roles. This is perhaps why Keane believes the currently popular notion of “governance without government” in world politics (Rosenau & Czempiel 1992) “issues a direct challenge to the whole theory of global civil society” (Keane 2003, p. 96). Keane prefers to speak of a global “cosmocracy” in which civil society organizations enter into relationships with governments and international governmental organizations that can vary from integration to cooperation to distance to confrontation. Keane thinks the difference between global governance and cosmocracy matters a lot, but really the distinction is very fine, because both can involve civil society organizations playing a part in governing.

The involvement of nongovernmental organizations in government has a long history within states. For example, the corporatist states of Northern Europe have long granted a formal share in policy making to business and labor federations, and, in their more expansive moments, to representatives of women’s and environmentalist organizations. Although the kind of tight relationship that corporatism connotes is hard to envisage in global politics, some authors have advocated a formalized role for civil society in association with international governmental organizations. Willetts (2006) sees insidious corporatist ideas at work in the 2004 report of the UN-sponsored Panel of Eminent Persons on United Nations–Civil Society Relations. Saif Gadafy’s (2008) notorious Ph.D. thesis from the London School of Economics and Political Science advocates such a role, eventually leading to the cosmopolitan irony of an advocate of greater civil society involvement in international organizations being the subject of an arrest warrant from one such organization that was set up largely in response to pressure from civil society—the International Criminal Court.

Civil society participation in transnational networked governance was very evident in connection with the 2002 World Summit on Sustainable Development in Johannesburg (Carr & Norman 2008). One of the main activities at the summit was the establishment of numerous partnerships involving NGOs, developing country governments, and corporations—what von Frantzius (2004, p. 469) refers to as “the privatization of sustainable development,” though really it is just a blurring of public and private.

The alternative to thinking about civil society as a component of governance is to conceptualize its proper place as constituting a public sphere at some degree of critical distance from government and governance alike. The public sphere is usually defined in terms of its orientation to public affairs, while not seeking a formal share of public authority. Matters can be a bit more complicated at transnational and global levels because government officials—especially from disadvantaged countries—can sometimes play a prominent role in the public sphere. Bolivian President Evo Morales has encouraged transnational social movements on climate change, hosting the World People’s Conference on Climate Change and the Rights of Mother Earth in 2010, though that summit constructed “the people” in a particular and partial way (Stevenson 2011).
Public spheres can be constituted in clearly oppositional terms, though they do not have to be; and the less oppositional, the more vulnerable they are to the governmentality critique. Sometimes opposition is very evident, as in the antiglobalization protests that began in 1999 in Seattle and have accompanied numerous international gatherings of powerful states and international organizations ever since. The invasion of Iraq organized by the United States in 2003 brought 11 million protesters into the streets on the same day (though some governments of powerful states such as France and Germany also opposed the invasion). The Arab world has featured a very lively transnational (but obviously not global) public sphere featuring old and new media, facilitated of course by a common language, that has long stood in contrast to the moribund state of politics within most Arab states. The transnational Arab public sphere could generate news and information with far greater credibility than state-controlled newspapers, radio, and television in the region, and in 2011 its opposition to the authoritarian regimes of the Arab world became very visible.

Global civil society can, then, feature anything from very close engagement with governance to clear opposition to established power. Can global civil society prosper in its integration with policy-making bodies, or should it keep a critical distance?

Certainly the temptations of integration are obvious for activists frustrated by a long history of exclusion from the corridors of power. But we know from the history of states that the inclusion of organized interests in the state is sometimes beneficial to those interests, sometimes a matter of cooptation and neutralization that saps both energy and, eventually, membership from the group in question—because groups with a close relationship with government are often also funded by government, so there is little incentive for group leaders to seek funding elsewhere or to deal with a potentially troublesome membership (Dryzek et al. 2003). Much turns on the particular configuration of movement aims and governmental priorities; if movements cannot attach their defining concern to a core imperative of government, they are better off keeping their distance. Can we apply this sort of analysis to the choices of global civil society if and when its members are invited to share in policy making, be it in formal consultation with international governmental organizations, cooperation with states, or participation in consequential governance networks?

Sometimes there will be little choice here. For example, if a development or emergency relief NGO wants to work in a developing country, it may have to get approval from the host government, which may have laws regulating NGO activity (for example, requiring employment of locals). In such cases it is the operational rather than advocacy role of the NGO that requires cooperation with the host government.

When a civil society organization is contemplating whether or not to work with a government of any kind or level, including international governmental organizations, if the organization’s defining concerns cannot be aligned with the core priority of the governmental organization then the organization may be better off keeping its distance. For example, the World Trade Organization (WTO) and International Monetary Fund have core priorities consistent with the neoliberal market economics that underpins the global political economy. Organizations with a social justice or environmental agenda should therefore be wary of engaging too closely with them, and treat with skepticism any claims that (for example) the WTO is being “greened” (as suggested by Weinstein & Charnovitz 2001). Whatever its record in the past, the World Bank’s commitment to neoliberal economics is less fixed, and so engagement may be less hazardous. The United Nations Environment Program (UNEP) has core priorities that are quite consistent with the defining interest of (some) green social movement organizations, and so engagement is not especially hazardous—though UNEP is not an especially powerful organization, even on environmental issues.
There is plenty of scope for judgment here on the part of groups as they think about the terms of engagement with established power. Murkier still are choices about participation in governance networks of the sort so central to a post-Westphalian world. The core priorities of networks are harder to identify than those of formal organizations such as states or international governmental organizations. Here it may be beneficial to examine the kind of discourse that a network features. If the network is dominated by a particular uncongenial discourse—as for example global financial networks are dominated by neoliberalism and attendant assumptions about efficient markets—then a group that does not accept the core tenets of that discourse should think long and hard about the terms on which it engages.

THE SEARCH FOR CONCEPTUAL CLARITY

Global civil society evokes enthusiasm and skepticism, hopes and fears, new ways of thinking about the world, a continuation of deep traditions, and much more besides. Its vast literature helps reinforce the idea in world politics that global civil society matters. At one level global civil society seems to presage a different world. At another level the real content and importance of that change remain obscure. The amelioration of obscurity might seem to begin with some conceptual clarification that would in turn facilitate the generation of a progressive (if not cumulative) body of social scientific work on the real nature and impact of global civil society in world politics.

There have been numerous empirical studies of particular NGOs, episodes of activism, processes leading up to global agreements, and networks of actors (several of which I have cited). These studies, though, lack unifying conceptual order. The development of global civil society as a concept has been influenced by political actors more than social scientists. So it should come as no surprise that it is not a concept that is especially tractable in (social) scientific terms. It is full of ambiguities concerning how to classify its membership and what kinds of actions belong under its umbrella, and it is often invoked for rhetorical purposes (Amoore & Langley 2004). This constitutive role could conceivably cause trouble for social scientific analysis, because if people who invoke the term start to mean something different by it, any timeless and cross-contextual validity of the concept may be imperiled. If it follows the course of concepts such as democracy and sustainable development, we may well find its meaning changes with time as a result of the intervention of key actors. Sustainable development, for example, has with time become increasingly reconciled to conventional notions of economic growth as a result of engagement with the concept by large corporations on the global stage.

Should we devote the effort to force global civil society into a conceptually precise shape that would improve the prospects for social scientific analysis? Or should we just map the variety of meanings and use each when appropriate (Anheier 2007)? Those who have studied democracy in all its varieties have taken the latter tack. What this means is that subspecializations in political science work with different definitions of democracy and are largely oblivious to competing definitions (see Coppedge & Gerring 2011 for an attempt to produce a new, disaggregated conceptualization that all could use). Omelicheva (2009, p. 110) believes that global civil society “is currently lacking an intelligible conceptual apparatus and empirical theory to support rigorous empirical research,” while acknowledging, “For some, this might not be a problem since multiple meanings of GCS can provide a space for dialogue.” Omelicheva then takes a moderate position, seeking some shared points of reference while allowing continued dispute on details (p. 111). She recognizes that “there is nothing wrong with empirical work inspired by ideas from political philosophy” (p. 121) but then says “the field is still in need of a clear conception of GCS as an observable phenomenon and an analytical category devoid of liberal-democratic qualities or other imputed normative values” (p. 122).
However laudable such an aim might be in social scientific terms, it is going to be problematic if global civil society is an *essentially contested* concept in Gallie’s (1956) terms: that is, no contestation, no concept. It may well be the case that contestation of the meaning of civil society is integral to the very nature of the concept. That still allows boundaries around this contestation: civil society is not war, it is not empire, it is not coercive diplomacy, it is not chaos, it is not (just) the market. But treating civil society as an essentially contested concept means that the kinds of empirical methods appropriate to its study are likely to be ethnography, in-depth interviewing, and discourse analysis, rather than causal hypothesis testing (Taylor 2002). These sorts of analyses will yield appreciation of the variety of meanings that global civil society can take, rather than convergence on any single meaning.

For better or for worse, empirical analysis of global civil society is tied up with normative agendas and associated contests over the meaning and significance of particular practices and ideas, including the idea of global civil society itself. Rather than seek to banish normative agendas in the name of social science, we might perhaps call on political theory to clarify the content of these agendas and meanings.

**THE POLITICAL THEORY OF GLOBAL CIVIL SOCIETY**

Given that global civil society sits firmly in the defining territory of international relations (on some accounts threatening to change the character of international relations completely), the obvious place to take this next step in the search for clarity would be in international relations theory. But whereas for its enthusiasts global civil society changes everything, for large areas of international relations scholarship it apparently changes nothing. Now, articles on global civil society do occasionally appear in mainstream international relations journals (see the reference list). But those operating in the theoretical core of international relations scholarship appear largely unmoved. If we consult the index of the recent authoritative 44-chapter *Oxford Handbook of International Relations* (Reus-Smit & Snidal 2008), we find only five entries for civil society, four of which are inconsequential and in passing. Related concepts such as nonstate actors (5), NGOs (1), international NGOs (1), and transnational social movements (2) fare little better. There are actually only three paragraphs in the 732 pages of the *Handbook* that say anything substantive about civil society, and then only to warn that “civil society is inherently opposed to the centralizing and homogenizing force of American Empire’ but is always vulnerable to being subverted or manipulated”—for example “to become an instrument for the penetration of Empire into Eastern Europe and Central Asia” (Cox 2008, p. 91). Global civil society’s contribution to hopes for global democracy is absent entirely—remarkably, there is not a single entry for “democracy” in the index of the *Handbook*.

International relations theory is perhaps too distracted by its ineliminable battles between realism, liberalism, and constructivism to be able to devote sustained attention to a substantive topic such as global civil society. However, constructivists allow civil society actors a role in the construction of global norms (Price 1998; Finnmere & Sikkink 2001, p. 400; Payne 2001; Khagram et al. 2002). They are particularly interested in challenges to the norm of sovereignty that privileges the agency of states. Still, many of the prominent works on global civil society are by people who are not international relations scholars; as such, they are inflected with particular enthusiasms (or skepticisms) and are not easy to order conceptually. In the absence of much help from international relations theory, is there any political theory that can do better?

Political theory is still largely Westphalian in that it works with the image of a sovereign state as the locus of public authority. (This led to an easy division of labor with international relations theory, inasmuch as the latter concerns itself with relations between sovereign states, though why
the two kinds of theory eventually stopped talking to each other very much is another puzzle.)

Emerging post-Westphalian political theory needs to come to grips with networked governance in particular. There is a massive literature on governance networks, most of it empirical. Some of this work stresses networks operating within national boundaries in the shadow of a state (Bell & Hindmoor 2009), but for much of it networks extend rather easily across boundaries. As we have already seen, Keane (2003, p. 96) fears losing global civil society to “governance without government” of the sort found in networks, but whether or not such a loss really matters turns on the conditions of governance—and networked governance in particular. Networked governance can indeed involve low-visibility interaction producing outcomes with no publicity and no accountability, dominated by a single hegemonic discourse. Global financial affairs have often been organized on this kind of basis, with civil society organizations and activists generally conspicuous by their absence from consequential networks. More defensibly, networks can also feature what Braithwaite (2007) calls “nodes of contestation,” with a place for civil society activism. It is easy to identify contestation that stands outside networks, easy to identify cases of civil society organizations fully integrated in networks, much harder to identify the semi-integrated condition that any node of contestation would represent, and harder still (perhaps impossible) to locate such nodes that would be immune from Foucauldian charges of complicity in governmentality. No ready examples come to mind, meaning some close empirical study in these terms is called for.

Contestation in the context of networked governance requires political freedom. For some activists, freedom may be secured in liberal terms by the state they inhabit (see Chambers & Kopstein 2006, p. 378), which can guarantee individual rights against coercion (including coercion from the state itself). But for those venturing into global civil society without such guarantees, a different concept of freedom is appropriate. For republicans such as Pettit (1997), freedom is primarily a matter of nondomination: people are free to the extent nobody has the capacity to dominate them. In these terms, formal liberal rights are empty in the face of extreme material inequality. Republican ideas of freedom as nondomination travel much more easily to governance networks than do liberal ideas about rights guaranteed by and in a state, so republican freedom can facilitate post-Westphalian reconceptualization of politics more generally. Networks can be evaluated according to how well they secure nondomination (it is the capacity for domination that republicans worry about, not its observed practice). Indeed, we can use freedom as nondomination as a test for civil society organizations worried about their engagement with a particular network. Nondomination cannot be guaranteed for them by laws of the kind that liberals favor (because networks operate without formal laws), but it can exist to greater or lesser degree in the operations of a network. For Bohman (2007, pp. 65–66), freedom as nondomination is actually a test to distinguish between good and bad civil society: good civil society exists only when it promotes nondomination. For Braithwaite (2007, p. 167), in a networked context, “Deliberative democracy is the ideal that can most fruitfully be deployed to enrich freedom as nondomination” because “giving direct democratic voice to people affected by a decision is the best way to respect the autonomy and empower the public reason of citizens.” This consideration resonates with all those who engage global civil society with the language of democracy, so let us now see what democratic theory can say about global civil society.

THE DEMOCRATIC THEORY OF GLOBAL CIVIL SOCIETY

Thinking in thoroughly post-Westphalian terms enables us to take more seriously the possibility that global civil society is central to meaningful global democratization, rather than an ersatz substitute for elections or a supportive waystation on the road to cosmopolitan institutions.
as advocated by Held 1995 and other cosmopolitan democrats), or indeed something whose contribution to global democracy has to be ruled out because it cannot play the same role that it does within states (Goodhart 2005). Becoming post-Westphalian in a deep ontological sense means letting go not only of the idea of the sovereign state, but also of the individualistic basis for the establishment of sovereign authority formalized by Thomas Hobbes at the same time as the Treaty of Westphalia (his *Leviathan* appeared in 1651 but he wrote it in the 1640s). This move is actually consistent with Kaldor’s (2003) take on global civil society as “an answer to war,” at least in the sense both Westphalia and *Leviathan* were in their different ways also “answers to war” (respectively, wars of religion and civil war).

A post-Westphalian ontology can stress discourses and informal networks as well as individuals and formal organizations. In this light, the engagement and contestation of discourses in the public sphere are essential aspects of democracy (Dryzek 2006). Discourses in global politics are likely to be especially consequential inasmuch as they can take on some of the coordinating functions that the formal organization of the state undertakes in domestic politics (for example, global environmental affairs have in recent decades been coordinated largely by the discourse of sustainable development, global financial affairs by neoliberalism). Prominent discourses in global civil society include human rights, sustainable development, poverty alleviation, transparency, climate justice, green radicalism, and human security. These discourses can take their place on the global stage alongside others either ingrained in the global polity or advanced and reinforced by the actions of states, such as neoliberalism, neoconservatism, a realist discourse of anarchy in security affairs, counterterror, and various “civilizational” discourses of the sort we can read into Huntington’s (1996) clash of civilizations (Asian values, liberal-democratic triumphalism, Islamic radicalism). Some discourses are of course advanced by both state and civil society actors. Particular discursive contests might involve human rights versus counterterror; a three-cornered contest between neoliberalism, sustainable development, and green radicalism; the alleged clash of civilizations; and human rights versus Asian values (at least as characterized by former Singapore Prime Minister Lee Kwan Yew).

In this light, global civil society is essentially a pattern of discursive representation (Keck 2003, Dryzek & Niemeyer 2008). Activists and organizations can be seen as representing particular discourses as they interact with each other and with centers of public authority such as states and international governmental organizations. So Bono represents antipoverty or a discourse of Africa, Transparency International represents transparency and anticorruption, Sea Shepherd represents green radicalism, Amnesty International represents human rights. Any claim to be representing global civil society itself (Amoore & Langley 2004) is in part an invocation of a cosmopolitan discourse. Interpreting representation in discursive terms enables us to rethink the question of accountability that is central to democratic representation. Accountability can mean so much more than the potential for sanctioning a representative. Discursive accountability means continuing to communicate in terms that make sense within the discourse being represented, even as the representative encounters representatives of other discourses, and even as he or she reflects on his or her positions in light of such encounters (Dryzek & Niemeyer 2008, p. 490). In this sense, it is akin to what Mansbridge (2009, p. 384) calls “narrative accountability,” though the latter requires a specific audience defined in conventional terms to which an account is given. The narrative may, however, be constructed within the frame provided by a particular discourse—for example, environmental NGOs will normally draw on a green or sustainability discourse. For Mansbridge, deliberative accountability is more demanding than narrative in that it involves two-way interchange between the representative and those being represented. If it is a discourse that is thought of as being represented, rather than persons, deliberative accountability may be harder to locate.
Accountability is just one aspect of representation, and representation just one aspect of democracy. We can speak of discursive representation, but what about discursive democracy? Discursive democracy can be said to exist to the extent of dispersed and competent control over the collectively consequential engagement of discourses in the global public sphere. Again it is important to think in terms of degrees: the key democratic question when it comes to evaluating the role of global civil society is the degree to which its activities can subject global decisions to dispersed and competent control, not whether it measures up to some ideal of political equality and popular control. And if collective decisions have to be justified in terms of discourses beyond narrowly administrative or economistic terms, that is a democratic advance—however far we may remain from any ideal. Decentralized control is only a force for democracy to the extent it features communicative action by people acting as citizens (whether individually or collectively) rather than as economic actors; and this is exactly what global civil society promises.

When it comes to critical competence in discursive contests in the world system, civil society actors have one important advantage over states and corporations, which is their greater freedom to act on a reflexive basis (Dryzek 2006, pp. 121–23). Reflexivity here means the ability to contemplate the constellation of discourses operative on a particular issue and to figure out how any action will affect that constellation. States are heavily constrained by their imperatives to ensure their own security, maintain legitimacy in the eyes of their own populations, and maximize economic growth. An extreme example of antireflexive state action in world politics can be found in the George W. Bush administration in the United States, whose actions on the global stage, even if they made sense in narrowly instrumental terms, reconfigured the global constellation of discourses in ways detrimental to U.S. interests (including raising the standing of a discourse of international anarchy). Corporations are even more constrained than states because of their need to maximize profits. So however disadvantaged they are when it comes to material resources, civil society actors are privileged in terms of the freedom to act reflexively. Reflexive action is not, however, the preserve of the materially disadvantaged or those opposed to dominant discourses. For example, the World Business Council for Sustainable Development has helped shift the meaning of sustainable development in a direction friendly to economic growth, free trade, and corporate involvement. The opportunity for reflexive action is not always grasped by civil society actors, who do not necessarily think about what they are doing in these terms. But civil society actions that are condemned as instrumentally irresponsible or ineffective can turn out to make sense in reflexive terms. Consider for example the way initially inchoate antiglobalization protests led eventually to the construction of a coherent counterdiscourse to neoliberal globalization, or how the Climate Action Network’s shaming of particular countries and delegates at multilateral negotiations risks alienating the country in question but keeps a more serious environmental discourse alive in the discursive field surrounding negotiations. (For an extended analysis of another environmental incident in these terms, see Dryzek 2006, pp. 116–17, 122–23.) Recognizing reflexivity in terms of influence over the constellation of discourses in the global system enables reassessment of civil society effectiveness. Activities such as protests against the invasion of Iraq in 2003 may look ineffective in direct instrumental terms, yet still have profound effects in reordering the global balance of discourses. Speaking of “norms” rather than “discourses” enables a link to the interest of constructivist international relations scholars in norm change, though this connection is currently undeveloped.

Brassett & Smith (2010) warn that thinking of its contribution to global democratization in discursive terms still risks seeing global civil society as simply an agent with too circumscribed a role within deliberative global governance, as too tightly connected to providing inputs for, and so ultimately legitimating, global governance. This warning resonates with the governmentality critique discussed above. They stress the importance of maintaining the vitality of civil society as
an “affective arena” of endless contestation, critique, performance, and identity formation. Those concerned with expanding real influence (be it in conventional instrumental terms or the reflexive terms just established) over the production of collective outcomes might balk at such a suggestion. But the answer is surely that global civil society can be both an agent and an arena; there is no need to force it into either role to the exclusion of the other.

CONCLUSION

Critics notwithstanding, global civil society is here to stay, and the actors and activities that can be categorized under its umbrella continue to expand. When examined through reference to frameworks developed within and about the politics of states, global civil society may look as though it fails to measure up, whether in terms of the very idea of a civil society, or any contribution it might make to freedom and democracy. Global civil society only comes into its own once we question these points of reference in the politics of the sovereign state. This reframing does not mean its puzzles and problems thereby disappear. But it does set the scene for their analysis in more productive terms. There remains plenty of room for dispute about what the best terms might be, but in this respect global civil society is no different from venerable concepts such as democracy: it is a work that is always in progress, both practically and conceptually.

DISCLOSURE STATEMENT

The author is not aware of any affiliations, memberships, funding, or financial holdings that might be perceived as affecting the objectivity of this review.

ACKNOWLEDGMENTS

For research assistance I thank Alessandra Pecci, for comments Nancy Rosenblum and Hayley Stevenson. Financial support was provided by an Australian Research Council Federation Fellowship.

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