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Transnational Non-State Politics

Thomas Davies

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. 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 2005), and cases of declining stigmatization of abortion following International Planned Parenthood Federation (IPPF) campaigns (IPPF 2017, 7).

Among the oldest nonstate to nonstate 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, 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 Yangtze, Ganges, Mekong, Pantanal and the Mara (HSBC 2017). As Dutta (2016, 162) argues, "NGOs such as the World Wildlife Fund (WWF) emerge as channels for greenwashing 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. Many professional associations are specifically dedicated to providing services to their members such as facilitating networking, providing mutually recognised 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 set out the parameters for member organizations to be authorised 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 recognised 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 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 and Deloffre and Schmitz 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, 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 monopolise 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 co-operating with

corporations in joint projects and in joint advocacy campaigns, NGOs have been alleged effectively to have been co-opted by corporations (Huismann 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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