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# New players in international relations

by Eric Suy\*

Public international law, as it is taught still today, emphasizes the prominent position of subjects of international law as the main actors in international relations and, therefore, in international law. The subjects are those entities which are the addressees of international legal rules or norms, the bearers of international obligations and rights. Traditional international law distinguishes between states and international organizations as subjects of international law. The latter have only recently been recognized as limited subjects of international law, and only to the extent that states, the primary subjects of international law, grant international rights to and impose international obligations on the intergovernmental organizations which, therefore, became subjects of international law by the grace of states which are and remain the original subjects of international law.

The peculiarity and, indeed, the uniqueness of international law is and remains that the very subjects of this legal order, viz. the states, are also the entities that create international law, either through state conduct (practice) leading to custom, or through interstate agreements or treaties. Intergovernmental organizations, as subjects of international law, are created by interstate agreements or treaties called: covenant, charter, constitution, act, treaty, etc... It is important to emphasize that states remain the primary subjects of international law and that, without these primary subjects, there are no other subjects of international law, be they interstate organizations or other entities which have gradually emerged as limited subjects of international law.

Gradually, and even before intergovernmental organizations became subjects of international law, entities other than states acquired the status of - albeit limited - subjects of international law. In the case of the Holy See and, to a more limited extent, of the Sovereign and Military Order of Malta, their acceptance as subjects of international law was largely due to the fact that, at some point in history, they had been sovereign rulers over a given territory (the Papal states and Malta) and, therefore, full subjects of international law. Today, these entities remain important actors in the field of international relations. This is particularly true for the Holy See, although some confusion may persist because of the simultaneous existence of the

Vatican State, a micro-state with a given territorial base. International law has also recognized belligerents as subjects for the very reason that they were (and still are) a force to be reckoned with, and that they may, through the fortune of arms, eventually become the legitimate rulers of the country. In other words, the status of subject of international law of these entities depends upon their acceptance and recognition by the original subjects of international law viz. the States, as important actors in interstate relations. Whereas intergovernmental organizations are accepted as subjects of international law by treaties between states as primary subjects, the new 'entities' acquired the status of subjects of international law through their own and specific role as actors which states ultimately recognized through practice.

Recent times have seen other significant changes in the perception of the role of entities other than states and international organizations as important actors in interstate relations. These changes stem either from the Charter of the United Nations, or from the practice of the various United Nations principal organs. A most important group of actors are, of course, the non-governmental organizations (NGOs) which have a consultative status with the Economic and Social Council of the United Nations (article 71, UN Charter). The General Assembly of the United Nations has admitted *observers* to either the Organization or to the Assembly and/or its organs. The Security Council and the General Assembly dealt with topics and adopted resolutions concerning a variety of non-state actors such as liberation movements, terrorist organisations, individuals, and private enterprises.

We purpose to examine some of the most recent and salient developments concerning the role mainly of non-governmental organizations and the national liberation movements. In the light of this, the question will be dealt with to what extent the doctrine of state sovereignty has been affected.

## The evolution of the role of non-governmental organizations

The Charter of the United Nations recognizes the important role of non-governmental organi-

\*Emeritus Professor, Catholic University of Louvain. Professor Extraordinarius, University of the Free State, Bloemfontein. Formerly Under-Secretary-General and The Legal Counsel of the United Nations

1. For an exhaustive commentary and literature, see R. Lagoni, *sub*Article 71 in B. Simma, ed., *Charta der Vereinten Nationen. Kommentar* (1991) pp. 857-871, and also the English edition: *The Charter of the United Nations-A Commentary* (1995), pp. 901-915

2. *Transnational Associations - Associations transnationales*, the Review of the Brussels based Union of International Associations contains, in my view, the best series of studies dealing with the evolving status of non-governmental organizations in their relations with various intergovernmental organizations. For a most recent, thorough and comprehensive analysis of international non-state actors in the era of globalization, see W. Hummer, *Internationale nichtstaatliche Organisationen im Zeitalter der Globalisierung- Abgrenzung, Handlungsbefugnisse, Rechtsnatur*, in *Berichte der Deutschen Gesellschaft für Völkerrecht*, vol. 39 (2000) pp. 45-230.

3. The Economic and Social Council of the United Nations established, by its resolution 3 (II)(1946), a Committee on Non-governmental Organizations with a mandate to examine and report on the consultative relationship which ECOSOC should accord to NGOs and to recommend what action should be taken on submissions which those organizations may make to it. In resolution 1996/31, the Economic and Social Council adopted new criteria by which 'arrangements' on consultative status for NGOs may be established.

zations as non-state actors in Article 71 which runs as follows:

"The Economic and Social Council may make suitable arrangements for consultation with non-governmental organizations which are concerned with matters within its competence. Such arrangements may be made with international organizations and, where appropriate, with national organizations after consultation with the Member of the United Nations concerned"<sup>1</sup>

This is not the place to dwell upon the 'arrangements' for consultation with non-governmental organizations. Suffice it to say that the relationship between the United Nations and the NGOs has undergone important changes during the history of the Organization<sup>2</sup>. First, there is the number of organizations with consultative status which stands at approximately 2.000. Second, the procedure and the type of arrangements have recently been modified in order to reflect the changing relationship<sup>3</sup>. Third, some non-governmental organizations have also been granted a special status as observers with the General Assembly<sup>4</sup>. Fourth, at major international conferences called for by the United Nations General Assembly on topical issues, the participation of non-governmental organizations in parallel and simultaneous meetings has largely contributed to the results of these conferences. NGOs were thus given a special opportunity for lobbying and exerting an influence on the delegations<sup>5</sup>. Fifth, frequently, states and intergovernmental organizations call on NGOs to participate in and even take the lead of humanitarian operations because of their special knowledge and experience. The awarding of the Nobel Peace Prize to the *International Campaign to Ban Landmines (ICBL)* in 1997 and to *Médecins sans Frontières* in 1999 is an eloquent example of the international recognition of the role and importance of humanitarian non-governmental organizations as prominent non-state actors<sup>6</sup>.

Except for their admission to the status of consultative partners in the United Nations Charter and in constitutions of other intergovernmental organizations, such as Unesco and the Council of Europe, and except also for their authorized participation at international conferences, the role of NGOs as non-state actors in

the *formal* decision-making-process, either in the legislative or in the executive organs of intergovernmental organizations, has still to be institutionalized. There is, of course, one notable exception in the constitution of the International Labour Organization which granted such an enviable position to representative groups of both workers and employers.

If non-governmental organizations, as the larger group of non-state actors, are gradually acquiring more weight, and as they have an increasing impact on the *informal* process of decision-making, there is every reason for granting those actors a more visible role whenever states will proceed to a revision of existing constitutions of intergovernmental organizations, including the Charter of the United Nations. To put it in the words of Secretary-General Kofi Annan: "our post-war institutions were built for an *international* world, but we now live in a *global* world. Responding effectively to this shift is the core institutional challenge for world leaders today"<sup>7</sup>.

## The Contribution of NGOs to the development of international law

It is obvious that non-governmental organizations dealing with international law, such as the *Institut de Droit International* and the *International Law Association* are likely to have a considerable impact on the future development of international law. Indeed, legal advisors of Ministries of Foreign Affairs and of intergovernmental organizations, international law professors and practitioners, judges in international and regional courts, members of the International Law Commission usually are also members of these learned societies, and as such they contribute, in their individual capacity, to the elaboration and the development of international law. Several similar associations in the field of international environmental and space law likewise contribute to the development of these branches of international law<sup>8</sup>.

To the extent that other NGOs are important non-state actors, capable of influencing the conduct of states and governments, they may also play an important role in the formation and the development of international law. Whoever participated in the drafting of international con-

4. Although the General Assembly has traditionally granted observer status to intergovernmental organizations, non-member states recognized by specialized agencies, and national liberation movements, NGOs, such as the International Committee of the Red Cross and the International Federation of the Red Cross and Red Crescent societies were granted observer status in 1990. See in general: E. Suy, *The Status of Observers in International Organizations*, in *Académie de droit international, Recueil des Cours* vol II-1978, pp. 75-179, and R.N. Sybesma-Knoll, *The Status of Observers in the United Nations* (1981).

5. Thus, during the *Millenium Forum*, representatives of more than thousand NGOs gathered at the United Nations in New York during five days in May 2000 in order to formulate a collective vision for the hew century and the role of the United Nations and of civil society in the major issue areas of today. A Declaration proposing i.a. the creation and funding of a Global Civil Society Forum was presented to the world leaders gathered at the *Millenium Summit* which took place early September 2000.

6. One may perhaps consider that most of the recipients of the Price also belong to the group of important non-state actors.

7. *We the peoples: the role of the United Nations in the twenty-first century. Report of the Secretary-General*, G.A. Document A/54/2000, § 30.

8. See the *Yearbook of International Environmental Law* (since 1989), and the works of the *International Institute of Space Law*.

ventions in the field of modern aspects of international law will be able to witness to the often driving force of NGOs in the international law making process. It is true that, hitherto, states and their representatives and negotiators are always the final and exclusive partners in the treaty-making process. But in some important instances, the conduct of states has been largely influenced by NGOs whose representatives are sometimes members of the official state delegation. In some instances, individuals at the helm of those NGOs were able to play a prominent personal role in influencing changes in international law. It is, of course, impossible to give a complete picture of those typical and topical contributions by NGOs. Here is a largely uncleared field for scientific research which will have to be based on the archives of both the relevant NOGs and of states.

I merely wish to refer briefly to the contribution of the *International Catholic Child Bureau (ICCB)* and of its then Director-General, the *Rev. Canon Moerman*, in the elaboration of the 1989 *Convention on the Rights of the Child*. When states, after difficult and protracted negotiations, adopted in 1988 a *Convention on the Regulation of Antarctic Mineral Resources Activities*, leading environmentalists, arguing that the entry into force of this convention would jeopardize the fragile ecosystem of the region, started a vigorous campaign against the ratification of the convention. *Greenpeace* and 'Commander' *Cousteau*, who in person visited the heads of state, prime ministers and ministers of foreign affairs of the 'consultative' parties, were instrumental in obtaining that those same states, led by Australia and France, eventually agreed on a fifty years mining ban. This was achieved in the *Protocol on Environmental Protection to the Antarctic Treaty*, adopted in Madrid on 4 October 1991.

Is it necessary to stress the prominent role of *Henri Dunant* in the drafting of the first Geneva Convention in 1864, and that of the *International Committee of the Red Cross (ICRC)* in the elaboration of the 1949 four Geneva Conventions? Here again, the final text was adopted by states in an international conference. But the groundwork was done by experts under the direction of the ICRC. During an interna-

tional conference which met from 1974 to 1977, two additional protocols were negotiated again under the aegis of the ICRC. The personal role and impetus of the conference's chairman, *Jean Pictet*, should also be emphasized as an example of a non-state actor's contribution to the development of international law<sup>9</sup>.

In a remarkable and extremely well documented study, Ken Rutherford of Southwest Missouri State University, examines the contribution of the *International Campaign to Ban Landmines*, a conglomerate of about one thousand NGOs, to the elaboration of the Ottawa Treaty banning anti-personnel landmines. One of his conclusions is that "(t)he landmine case provides a prologue to future NGO attempts at changing state behavior in certain issue-areas"<sup>10</sup>.

In a somewhat broader context, the United Nations Security Council dealt with problems of international humanitarian law for the first time during the Iraq-Kuwait Conflict. Several resolutions condemn the violations of international humanitarian law by Iraq<sup>11</sup>. Thus, in Resolution 666 (1990), the Council reaffirms that Iraq remains fully responsible for the safety of third-state nationals "in accordance with international humanitarian law including, where applicable, the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949"<sup>12</sup>.

In the same resolution, the Council directs the Sanctions Committee that it should bear in mind that foodstuffs should be provided through the United Nations "in cooperation with the International Committee of the Red Cross or other appropriate humanitarian agencies"<sup>13</sup>.

In Resolution 670 (1990) of 25 September, the Security Council condemns Iraq's continued occupation of Kuwait and its holding of third-State nationals against their will, in flagrant violation i.a. of "international humanitarian law"<sup>14</sup>. In the same Resolution, the Council reaffirms that the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949, applies to Kuwait and that "Iraq is bound to comply fully with all its terms and in particular is liable under the Convention in respect of the grave breaches committed by it"<sup>15</sup>.

9. See: *Studies and Essays on international humanitarian law and Red Cross principles, in honour of Jean Pictet* (1984).

10. K. Rutherford, The landmine ban and NGOs: the role of communications technologies, in *Transnational Associations* (2/2000) pp. 60 - 73, at 73. This study focuses on the use of communications technologies in order to increase the NGOs opportunities for success in changing state behavior. See also ICBLs website at <http://www.icbl.org>.

11. E. Suy, 'International Humanitarian Law and the Security Council Resolutions on the 1990-1991 Gulf Conflict' in A.J.M. Delissen and G.J. Tanja, eds., *Humanitarian Law of Armed Conflict. Challenges Ahead. Essays in Honour of Frits Kalshoven*, (1991) pp. 515-526.

12. *The United Nations and the Iraq-Kuwait Conflict 1990-1996*, The United Nations Blue Book Series, Vol. IX, Document 13, pp. 172-173.

13. SC Res 666 (1990), § 6

14. 2nd preambular paragraph.

15. Operative § 13, *Idem*, document 16 pp. 175.

16. A/Res/45/170, *Idem*, document 20 pp. 178-179.

17. SC Res 687 (1991), section G, §§ 30-31, *Idem*, document 35 pp. 197.

18. ST/SGB/1999/13, reprinted in *International Review of the Red Cross*, nr. 836, December 1999, 812-817.

19. See the comments by A. Ryniker, Respect du droit international humanitaire par les forces des Nations Unies, *supra* n. 19 pp. 795-805.

20. See on this aspect: P.R. Baehr, Mobilization of the Conscience of Mankind: Conditions of

On 18 December 1990, the United Nations General Assembly adopted a resolution concerning the situation of human rights in Kuwait which contains several references to the principles of international humanitarian law, the ICRC and the protection of the civilian population<sup>16</sup>.

In the famous Resolution 687 (1991) the Council decides that "Iraq shall extend all necessary cooperation to the International Committee of the Red Cross" in furtherance of its commitment to facilitate the repatriation of all Kuwaiti and third-state nationals. The Council also invites the ICRC to keep the Secretary-General of the United Nations apprised of all activities undertaken in connection with facilitating this repatriation<sup>17</sup>.

This survey of the prominent role of the ICRC in the development and implementation of international humanitarian law should be completed by a reference to two recent events. Firstly, ever since the creation of the United Nations peace-keeping operations, the question has been raised whether the 1949 Geneva Conventions and the 1977 Protocols thereto are applicable to the United Nations Blue Helmets and to their operations. The official position of the Secretariat has always been that the *general principles of humanitarian law* were applicable to the peacekeeping operations, but not the Conventions and Protocols as such, because the United Nations was and is not a party to these legal instruments. On 6 August 1999, however, a somewhat different position was adopted when Secretary-General Kofi Annan issued a Bulletin on *Observance by United Nations forces of international humanitarian law*<sup>18</sup>. This promulgation, without expressly referring to the Geneva Conventions and the Protocols, states that "(t)he fundamental principles and rules of international humanitarian law set out in the present bulletin are applicable to United Nations forces when in situations of armed conflict they are actively engaged therein as combatants, to the extent and for the duration of their engagement. They are accordingly applicable in enforcement actions, or in peacekeeping operations when the use of force is permitted in self-defence"<sup>19</sup>. This formal recognition of the applicability of international humanitarian law to certain types of U.N. operations is a step in the right direction, but it leaves many questions unanswered. Secondly, it is important to draw the attention to Security

Council Resolution 1296 (2000) of 19 April 2000 which deals with the protection of civilians in armed conflict.

This Resolution is an important addition to existing international humanitarian law in that it confirms that "the committing of systematic, flagrant and widespread violations of international humanitarian and human rights law in situations of armed conflict may constitute a threat to international peace and security" thus opening the possibility for the Council to take action under Chapter VII of the Charter of the United Nations. Those few examples seem to confirm that the Security Council of the United Nations takes an active interest in the observance and the development of international humanitarian law in the light of the international and, especially, of the national armed conflicts in which the Organization becomes involved. There is no doubt in my mind that these recent developments have been brought about by the sustained action of the representatives of the ICRC in New York.

NGOs are active not only in the process of developing international law and of its codification, but also, and perhaps more prominently so, in the verification of the implementation of international commitments by states. Although actions of NGOs as watchdogs have not been institutionalized, they are nevertheless sometimes highly visible thus contributing to a better implementation of the law. This is undeniably the case in the field of human rights where *Amnesty International* and *Human Rights Watch*, to name only these two, function as efficient controllers<sup>20</sup>. Similarly, NGOs sometimes play an effective role in the field of disarmament and arms control as well as in the process of implementing international environmental law. This unofficial and informal verification by NGOs functions rather well, and any attempt to institutionalize this role may jeopardize the independence and neutrality of the NGOs and hence the quality and reliability of their findings.

### National liberation movements, belligerents and factions in international conflict

During the process of decolonization, especially since 1970, the United Nations supported

Effectiveness of Human Rights NGOs, in E. Denters and N. Schrijver, eds., *Reflections on International Law from the Low Countries, in Honour of Paul de Waart* (1998) pp. 135-155.

21. This formula was used in order to avoid being trapped into the intricacies of having to deal with several liberation movements operating in the same territory.

22. P.H. Kooijmans, The Security Council and Non-State Entities as Parties to Conflicts, in K. Wellens, ed., *International Law: Theory and Practice. Essays in Honour of Eric Suy* (1998) pp. 333-346.

23. See also the SC Resolutions 1127 (1997), 1173 (1998) and 1229 (1999).

24. On this distinction, see P.H. Kooijmans, *Zelfbeschikkingsrecht. Naar een nieuwe interpretatie?* in N. Sybesma-Knoll & J. Van Bellinghen, eds., *Naar een nieuwe interpretatie van het Recht op Zelfbeschikking* (1995) pp. 157 ff. For a recent view on self-determination: Th. Christakis, *Le droit à l'autodétermination en dehors des situations de décolonisation* (1999).

25. SC Res. 1160 (1998), SC Res. 1199 (1998), SC Res. 1244 (1999).

26. SC Res. 1160 (1998), operative § 5, SC Res. 1199 (1998), preamble, repeated in SC Res. 1203 (1998) and in SC Res. 1244 (1999), also in the preamble.

27. SC Res. 1160 (1998), preambular § 3

28. *Idem*, operative § 8, repeated in SC Res. 1186 (1998) preambular § 2, in SC Res. 1199 (1998), preambular part, and in SC Res. 1203 (1998), preambular part.

national liberation movements which existed in various countries and territories then still under colonial rule or under foreign domination by giving them some sort of recognition. The most visible form of such recognition was the decision by the United Nations General Assembly to grant the *observer-status* to these movements, either directly, which was the case in 1974 for the Palestine Liberation Organisation (PLO), or indirectly, in admitting as observers those liberation movements and organizations which had been recognized by the Organization of African Unity<sup>21</sup>.

The recognition of the national liberation movements by the United Nations amounted to the promotion as *proto-states*. This, eventually, led to the sovereign independence of new states. This newly acquired status did not exclude, however, that competing liberation movements continued the struggle for internal domination once independence was a fact. This is still the drama in former colonies in Africa, such as Angola, where UNITA, once recognized as a national liberation movement in the struggle against the Portuguese colonial regime, continues to fight for domination in a civil war situation against the universally recognized government of the independent and sovereign state of Angola.

The refusal by UNITA to accept the verdict of free elections led the Security Council to adopt a series of resolutions under chapter VII of the United Nations Charter in which 'sanctions' were decided against UNITA<sup>22</sup>. This was the case in Resolution 864 (1993) which was the first one in which the Council imposed sanctions upon an entity which was not a state – and even not a proto-state – while holding this entity responsible for its illegal conduct. In subsequent resolutions, the Security Council, still acting under Chapter VII of the Charter, condemned the attitude and actions of UNITA<sup>23</sup>. It is submitted that the international community, represented by the United Nations General Assembly and Security Council, does no longer accept any liberation movement as representing the people under colonial yoke and foreign domination once independence has been achieved. Factions within an independent and liberated country which continue to use force in

the struggle for political domination have no longer anything in common with the original liberation movement they once might have been. Theirs is the status of belligerents in an internal conflict or civil war. Sometimes, the international community intervenes in an effort of pacification which may lead to the acceptance, by all the parties involved, of a peace-agreement. The recent developments in Africa and in Central America prove the successes, but in some cases also the failures and weaknesses of such agreements. In some instances, the United Nations Security Council, acting under Chapter VII of the Charter, has determined that the violation of those agreements to bring about law and order in a state, may be a threat to international peace and security, either in general, but mostly in the region.

This does not imply that the right of self-determination is denied. It simply means that the right has been shifted from the external to the internal level<sup>24</sup>, and that, consequently, the use of force which was recognized as legitimate in the struggle against colonialism, foreign occupation and apartheid, is no longer accepted in the exercise of the internal right of self-determination. The handling by the Security Council of the Kosovo question is a case in point.

It should be emphasized that the Council, in all its resolutions dealing with this crisis, expressly affirms the commitment of the international community to the "sovereignty and territorial integrity of the Federal Republic of Yugoslavia"<sup>25</sup>. The Council further stresses the necessity for a negotiated settlement and expresses its support for an "enhanced status for Kosovo which would include a substantially greater degree of autonomy and meaningful self-determination"<sup>26</sup>. The Council also condemns the use of "excessive" force by Serbian police forces, "as well as all acts of terrorism by the Kosovo Liberation Army"<sup>27</sup>. While imposing an arms embargo, the Council decided that all States "shall prevent arming and training for terrorist activities there"<sup>28</sup>. When, after NATO's military intervention in the Federal Republic of Yugoslavia, the Security Council adopted Resolution 1244 (1999), it decided "that a political solution to the Kosovo crisis shall be based on the general principles in annex 1 and as further elaborated in the principles and other

required elements in annex 2". The demilitarization of the Kosovo Liberation Army and other armed Kosovo Albanian groups is one of these elements. One of the main responsibilities of the international civil presence includes: "(P)romoting the establishment, pending a final settlement, of substantial autonomy and *self-government* in Kosovo"<sup>29</sup>. The pattern followed by the Security Council is similar to solutions adopted in situations of civil strife in other countries, such as Sierra Leone, where the Council refuses to acknowledge the admissibility of the use of force by factions, and orders their demilitarization and disarmament while stressing the necessity for a political solution which would respect the unity of the State. In other words, internal self-determination should be peaceful, and the use of force, although a fact which has to be taken into account, cannot be condoned because it would affect the sovereignty of the State.

### **Other transnational actors in uncivil and civil society**

In his already quoted report *We the peoples: the role of the United Nations in the twenty-first century*<sup>30</sup> the United Nations Secretary-General Kofi Annan discusses 'new vulnerabilities' which globalization has created to old threats. He emphasizes, in particular, "(c)riminal networks (which) take advantage of the most advanced technologies to traffic around the world in drugs, arms, precious metals and stones - even people. Indeed, these elements of "uncivil society" are constructing global conglomerates of illicit activities"<sup>31</sup>. This problem of organized international crime also covers other well known modern phenomena such as: piracy at sea, terrorism in all its aspects, bribery and corruption, money laundering, tax evasion through international havens and illegal immigration. The revolution in global communications already changes the way many people work and live, and some non-state actors take advantage of this revolution to undermine the fundamentals of state sovereignty. States and their governments are compelled nowadays to deal more and more with criminal challenges emanating from individuals and groups. The latter, in all their appearances, have indeed become powerful

actors influencing international relations and the development of international law. States and their governments have become, to a large extent, the re-actors to those new challengers. The ever growing number of international agreements against all forms of terrorist activities, against money-laundering and the recently signed Convention against Organized Crime with its two Protocols clearly indicate that, in future, major parts of international law will deal with problems generated by non-state actors.

It should, however, be emphasized that the course of international relations and of international law is not only influenced by elements of "uncivil society", but that elements of highly developed society have the same, and perhaps even a more important influence. Globalization, even if it still is a controversial term and phenomenon, has mainly to do with the communications revolution. Another aspect is the growing trend of transnational mergers and acquisitions giving rise to more and more powerful transnational corporations. Globalization is brought about, not by states or by governments, but by individual investors and inventors and by the companies they have created. States, therefore, tend to control the power and influence of these corporations which they sometimes view as a threat to their sovereign rights. But is state sovereignty really threatened by all those non-state actors?

### **Non-state actors: a challenge to state sovereignty?**

States, intergovernmental organizations and belligerents are the traditional subjects of international law. But there are many more non-state actors which, without having formally obtained the status of subject of international law, play an important role in the conduct of international relations and, hence in the formation of international law. Most of these 'modern' actors are non-governmental organizations the importance of which has already been recognized in the law of international organizations by the possibility of granting them an appropriate, mostly consultative, status. Nowadays, NGOs have become much more influential, and the states rely upon their experience in order to formulate new policies and new rules.

29. Operative § 11 (a).  
Our italics.

30. Doc. A/54/2000

31. *Idem*, § 34.

Other 'entities' have appeared on the forefront of international relations. The international community of states has dealt with the issue of transnational corporations when, since the middle of the 1970s, an attempt was made in the United Nations to curb the activities of the TNCs by the elaboration of appropriate guidelines. The new era of globalization will, no doubt, see an intensified effort by states to regulate the activities of corporations which they may deem dangerous to the exercise of their sovereign rights and to their national interests.

Finally, individuals have become more and more the concern of international relations. International humanitarian law has, traditionally, been dealing with the conduct of combatants in armed conflicts. The development of international humanitarian law during the last quarter of the XXth century, and the growing concern of its implementation through the creation of international criminal courts and tribunals clearly point to the increasing role individuals may play as non-state actors. States are compelled to deal more and more frequently with the activities of individuals and of groups in a variety of fields which can be qualified as highly criminal and which are likely to affect the authority and the sovereignty of the states as major actors in international relations. Non-state actors are, therefore, a factor to be reckoned with while thinking about and preparing a possible but necessary restructuring of the international community, while at the same time uncivil and/or criminal conduct of non-state actors must be addressed effectively at the international level. The voices of the Peoples of the United Nations should be heard and listened to more carefully. This trend already exists. But structural changes in the international community will be necessary allowing for the most beneficial contribution of the non-state actors to the peaceful development of international relations.

Addressing the annual NGO conference organized by the UN Department of Public Information, Secretary-General Kofi Annan stated on 28 August 2000: "You are our best defence against complacency, our bravest campaigners for honesty and our boldest crusaders for change". While ultimately, decisions about the level of NGO participation in the United

Nations' work would be taken by the member states, he said: "I believe that in time, they will agree that our doors must be open". In his *Millennium Report*, which was published a few days later, the Secretary-General stated: "the international public domain - including the United Nations - must be opened further to the participation of the many actors whose contributions are essential to managing the path of globalization"<sup>32</sup>. In the otherwise rather disappointing *Millennium Declaration*, the heads of State and Government sound much more cautious when, in section VIII on Strengthening the United Nations, they resolve, as a last point, "to give greater opportunities to the private sector, non-governmental organizations and civil society, in general, to contribute to the realization of the Organization's goals and programmes"<sup>33</sup>. This remark shows the hesitation and reluctance of states to share their power with non-state actors.

And yet, the practice of participation by non-state actors in the various fields covered by the specialized organizations of the United Nations system can be described as useful, fruitful and rewarding. The member states of these organizations will gladly admit that the expertise of non-state actors is a welcome contribution to the work of the organizations. Those familiar with the working methods of the Commission of the European Union in preparing the various legal instruments which make up the 'acquis communautaire' can bear testimony to the important contribution of the non-state actors either as lobbyists or as consultants. The active participation of non-state actors in the elaboration of the law and policy does not *per se* go at the expense of state sovereignty. After all, the final decision-making rests with the states.

The foregoing obviously does not apply to non-state actors whose purpose is to challenge the authority of the state such as the liberation movements in a non-decolonisation context, international criminal organizations and other organized gangs. Similarly, the power and influence of global companies, the decisions of which may have far-reaching consequences for the prosperity of peoples and countries, may affect the sovereignty of smaller and developing countries. It is, therefore, compelling that states remain vigilant against the

32. *We the Peoples. The Role of the United Nations in the 21st Century*, p. 13.

33. A/RES/55/2 of 8 September 2000



excesses of globalization. Recent manifestations by the 'civil society' are there to remind us of the potential baleful influence of those corporations on state sovereignty.

A final question should be addressed: given the growing impact of non-state actors on the behaviour and decision-making of states and of intergovernmental organizations, could an institutionalizing of this expanding relationship contribute to enhancing this cooperation? Is there a need for regimentation?

In the course of this study, we have indicated several times that, save for constitutional provisions on some form of relationship between international organizations and NGOs, the cooperation is based upon practice. States have always shown a tendency to keep the NGOs and their activities under some control. A minimal regulation is required, both at the national and international level, in order to ascertain that interested groups fulfil certain requirements such as legal personality, minimal membership, healthy financing, accountability, purposes fitting with those of the international organization with which they seek an affiliation. It is, therefore, normal and necessary, that intergovernmental organizations and their member states establish rules for the recognition of NGOs willing to enter into some form of relationship with them. The consultative or observer status will provide the NGO with well defined facilities and possibilities to air their concern, present their views and even exert pressure in order to promote and provoke action by the organs of the organizations and by their member states. The practice of the United Nations shows that there is some degree of flexibility allowing for a regular adjustment of this relationship. Formal arrangements institutionalizing the cooperation would, most probably, amount to freezing a relationship

which is advantageous also for the member states<sup>34</sup>. The latter will, no doubt react, if they feel that the power and influence of the non-state actors, and of the NGOs in particular, become a threat to the exercise of their sovereign rights.

It would, however, be wrong to conclude that the acquisition of some status with an intergovernmental organization confers upon the NGO an international legal personality, even if the NGO is entitled to actively participate in the international decision-making process or otherwise in the activities of an intergovernmental organization. The fact that persons deployed by a humanitarian non-governmental organization may, under certain circumstances, be protected by the Convention on the Safety of United Nations and Associated Personnel<sup>35</sup> does not confer upon them or upon the NGO concerned a status of even limited international legal personality. Also in this respect do states remain the ultimate decision makers.

It is generally recognized that the transfer, by states, of sovereign rights to intergovernmental organizations does not affect their sovereignty. The powers and competence of the state may be diminished, but the transfer is proof of their sovereignty.

Similarly, in allowing NGOs to participate in the decision-making process, states, directly or through intergovernmental organizations, do not give away sovereign rights. In many fields, states and international organizations can no longer do without the expertise of NGOs which have thus become privileged partners in international relations<sup>36</sup>. The growing rôle of non-state actors in international relations tells strongly in favor of a healthy concern for democratization of the international relations through the involvement of knowledgeable, experienced and responsible non-state players.

34. See *supra* in paragraphs 6 and 11

35. Adopted on 9 December 1994 by GA Res 49 (59). See art. 1, (b), (iii).

36. This privileged partnership of NGOs is also highly visible in national politics and decision-making.

# The use and abuse of 'civil society' in development

by Marcus H. Lenzen\*

## Introduction

A new ideal was born, or reborn, in recent decades: Civil Society. Previously, a person interested in the notion of Civil Society could be assumed to be a historian of ideas, concerned perhaps with Locke or Hegel. But the phrase itself had no living resonance or evocativeness. Rather, it seemed distinctively covered with dust. And now, all of a sudden, it has been taken out and thoroughly dusted, and has become a shining emblem.

Ernest Gellner<sup>1</sup>

If discourse can be midwife, then civil society is well and truly born. Before we issue the birth certificate, however, a number of uncertainties concerning its identity require reflection

Crawford Young<sup>2</sup>

Concepts of 'civil society'<sup>3</sup> have experienced a remarkable renaissance in recent years, shaken out of a peaceful slumber in the vaults of the European history of ideas. This is not only the case in the field of political theory, especially in the context of debates on transformation, democratisation and governance; they have also gained increasing prominence in current discourses of 'development'.<sup>4</sup> Notably, the emphasis has to be on the plurality of 'civil society' concepts and ideas, for there is no single agreed upon conception of 'civil society'. Meanings range "from privatizing the functions of government to managing the global economy through some form of world organization".<sup>5</sup> Some enthusiasts portray 'civil society' as the "cavalry which can rescue us from war and from unfettered global capitalism".<sup>6</sup> Noam Chomsky refers to an extreme example where the U.S. government portrays U.S. investors as the core of Haitian 'civil society'.<sup>7</sup> Moreover, the debate on 'civil society' is taking place in very different forms in different regions of the world, with perspectives and experiences from the geopolitical North<sup>8</sup> dominating the literature. Perspectives from the South are rarely received, as some authors point out.<sup>9</sup>

One could be inclined to argue that the cacophonous character of 'civil society' discourse undermines the usefulness of the concept altogether. Indeed, in development practice, the idiosyncratic use of the concept leads to many misunderstandings and miscommunications between the various agents who employ it. Nevertheless, the number and variety of agents implementing 'civil society' support programmes is striking. They have been increasing dramati-

cally throughout the 1990s. Many international development institutions, especially U.S. foundations and agencies,<sup>10</sup> have adopted the support of 'civil society' as a specific objective. It was mentioned among the "new strategies" of a key OECD DAC policy paper.<sup>11</sup> The UNDP has a long history of co-operating with Non-Governmental Organisations (NGOs), but the 1990s witnessed a shift towards a 'civil society' and 'Civil Society Organisations' (CSOs) discourse. This is evidenced, *inter alii*, by a 1993 strategy paper<sup>12</sup> and the launch of a special CSO Participation Programme (CSOPP) in 1995. A similar, albeit later, discursive shift toward 'civil society' can also be observed in the World Bank under Wolfensohn's presidency.<sup>13</sup> Lastly, the concept was included in the recent *Cairo Plan of Action* of the 2000 Africa-Europe Summit.<sup>14</sup>

This increased use of 'civil society' rhetoric notwithstanding, one rarely finds a systematic definition of the concept in the agencies' documents. And yet, from the praise heaped upon 'civil society' one may sometimes get the impression that it is a panacea for all problems in processes of development and democratisation. This is a point that Fowler also makes,

Listening to supposedly knowledgeable people talking about civil society at conferences and other fora, it is easy to fall into the trap of thinking that civil society is a level playing field and the new salvation for development. (...) Civil society is a messy arena of competing claims and interests between groups that do not necessarily like each other.<sup>15</sup>

In light of the amorphous nature of the 'civil society' concept and its ambiguous (ab)use by the development industry, might it be nothing

1. Gellner, Ernest, *Conditions of Liberty: Civil Society and Its Rivals* (London: Hamish Hamilton 1994), p. 1.

2. Young, Crawford, "In Search of Civil Society", in J. W. Harbeson, D. Rothchild and N. Chazan (eds.), *Civil Society and the State in Africa* (Boulder, CO/London: Lynne Rienner Publishers 1994), p. 44.

3. Throughout this paper, I will take up the practice to place terms such as 'civil society' and 'development' in quotation marks to signify my use of them as concepts that are contested and elusive. For, as Esteva explicates, "Development occupies the centre of an incredibly powerful semantic constellation. There is nothing in modern mentality comparable to it as a force guiding thought and behaviour. At the same time, very few words are as feeble, as fragile and as incapable of giving substance and meaning to thought and behaviour as this one." Esteva, Gustavo, "Development", in W. Sachs (ed.), *The Development Dictionary* (London/New York: Zed Books 1992), p. 8.

4. A detailed discussion of the meaning of 'discourse' and its analytical utility is beyond the scope and need of this paper. They are "practices that form the objects of which they speak" (Foucault, Michel, *The Archaeology of Knowledge* (London: Tavistock 1972 [1969]), p. 49, cited by Mills, Sara, *Discourse: The New Critical Idiom* (London/New York: Routledge 1997), p. 17) and constitute the "process through which social reality comes into being - (...) the articulation of knowledge and power" (Escobar, Arturo, *Encountering Development: The Making and Unmaking of the Third World* (Princeton, NJ: Princeton University Press 1995), p. 39).

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5. Hunt, Louis D., "Civil Society and the Idea of a Commercial Republic", in M. G. Schechter (ed.), *The Revival of Civil Society: Global and Comparative Perspectives* (Basingstoke/London/New York: Macmillan Press/St. Martin's Press 1999), pp. 11.

6. Ball, Colin and Knight, Barry, "Why We Must Listen to Citizens", in CIVICUS (ed.), *Civil Society at the Millennium* (West Hartford, CT: Kumarian Press/CIVICUS 1999), p. 19.

7. Chomsky, Noam, *Powers and Prospects* (London: Pluto Press 1996), p. 111.

8. For convenience, 'North' will indicate member countries of the OECD DAC (Organisation for Economic Co-operation and Development Development Assistance Committee), 'South' will refer to those countries that traditionally receive aid, 'West' includes the countries of Western Europe and North America, and 'East' the countries previously constituting the Eastern Bloc.

9. See for instance Mitlin, Diana, "The NGO Sector and its Role in Strengthening Civil Society and Securing Good Governance", in A. Bernard, H. Helmich and P. B. Lehning (eds.), *Civil Society and International Development* (Paris/Lisbon: OECD/The North-South Centre of the Council of Europe 1998), p. 91; Jessen, Brigitte, "Einleitung", in B. Jessen (ed.), *Von der Fremdsteuerung zur Selbststeuerung: Alternativer Interventionismus asiatischer NGOs* (Hamburg: Deutsches Übersee-Institut 1995), pp. 10-13; and Serrano, Isagani R., *On Civil Society* (Quezon City: Philippine Rural Reconstruction Movement 1993), pp. 43-58.

10. For example, influential foundations such as Ford, Kellogg, MacArthur, Mott, and Rockefeller have all developed programmes to this extent in the 1990s. See Renz,

more than a chimera with little analytical and practical value for understanding, let alone changing, complex social realities? I will argue here that a sufficiently complex conceptualisation of 'civil society' and of its place in society as a whole can be highly valuable for a critical, multi-dimensional analysis of social, political and economic realities. Such an analysis is essential for a deep comprehension of societal power structures and processes of transformation. It may be that such an analysis will ultimately confirm the position of some thinkers of the post-development school, namely that planned, modernising 'development', in its use and representation by the dominant 'development' discourse, is illusory. Be that as it may, any action, no matter how it is ideologically informed or discursively constructed, aimed at changing the conditions of human suffering and/or environmental degradation, will be much more prone to fail or to create many more unintended consequences when it is based on an overly simplistic, reductionist or misguided analysis of societal structures and processes.

To arrive at a sufficiently complex model, I believe it is necessary to understand where the ambiguity of the concept originates and why other conceptualisations, especially the traditional dichotomous 'state-civil society' model, are inadequate for the purposes outlined above. I will therefore present a clearing of the conceptual and analytical grounds, beginning with an outline of the political-philosophical development of 'civil society' in chapter one. In the second chapter, I will synthesise and elaborate a concept of 'civil society' that can be employed as a universally applicable analytical framework to examine societal structures and processes.

Having established an ideal-type 'civil society' concept for the study of human systems, I will then provide an analysis of how and why 'civil society' concepts are used and co-opted in various ways by different ideological positions in current 'development' discourses in the third chapter. Since the 'civil society' idea is not an isolated phenomenon, we will need to contextualise it in this wider discourse. This chapter will also consider some of the consequential dilemmas that occur in development practice because of the overly simplistic or ill-informed 'civil

society' conceptions employed and promoted by some discourses. The operational utility of the concept is a key issue "in the real-world arena of policy formation and implementation concerning state formation, socioeconomic development, and state-society relations".<sup>16</sup> To address this issue, as Harbeson also emphasises,<sup>17</sup> two further questions will have to be answered: a), in how far 'civil society' is inescapably tied into Western political philosophy and practice and thus ultimately inapplicable to other societies; and b), whether the concept of 'civil society' is too entangled in normative analysis as to be of use in empirical theory. Lastly, the conclusion will summarise my case for the usefulness of a complex 'civil society' conception for a better understanding of transformative societal processes.

## The evolution of 'civil society': a short history of an idea

As Hunt highlights, even in historical perspective, the idea of 'civil society' has always been "fraught with ambiguity".<sup>18</sup> I will therefore begin with a sketch of the divergent historical and conceptual roots of this idea. The modern concept of 'civil society' originated in the context of anti-absolutist endeavours in the outgoing 18<sup>th</sup> century.<sup>19</sup> Following Taylor, one can differentiate between two fundamental lines of thought:<sup>20</sup> The first one is closely associated with Locke and the liberal tradition. Here, civil society signifies an autonomous public sphere that is to be kept free from state regulations to protect individuals and their (economic) interests. Adam Ferguson was another thinker of the later 18<sup>th</sup> century who saw the strengthening of civic associations as the best way to nourish a sense of public spirit that would counter the corrupting influence of power and wealth. Thomas Paine developed this idea further and ascribed to it a certain pre-political existence and autonomy with a right to erect, limit and overthrow political authority.<sup>21</sup>

Charles Montesquieu can be seen as the originator of the second line of thought. He strongly influenced the thinkers of the Scottish Enlightenment, notably Adam Smith and David Hume, who "celebrated the liberation of indi-

Loren, *International Grantmaking: A Report on US Foundation Trends* (New York: The Foundation Center and the Council on Foundations 1997), p. 83). Two further crucial U.S. agencies are the U.S. Agency for International Development (USAID) and the National Endowment for Democracy (NED).

11. OECD/DAC, *Shaping the 21st Century: The Contribution of Development Co-operation* (Paris: OECD 1996), p. 13.

12. UNDP, "UNDP and Organisations of Civil Society: Building Sustainable Partnerships" (New York: UNDP 1993).

13. Howell, Jude, "Manufacturing Civil Society from the Outside: Some Dilemmas and Challenges", Development and the Governance Agenda, IDS Seminar Series, Autumn 1999 (<http://www.ids.ac.uk/ids/govern/jh.pdf>), pp. 7f.

14. Africa-Europe Summit, *Cairo Plan of Action* (Cairo: EU/OAU 2000), paragraphs 56 and 63.

15. Fowler, Alan, *Striking a Balance - a Guide to Enhancing the Effectiveness of Non-Governmental Organizations in International Development* (London: Earthscan 1997), cited by Holloway, Richard, "Civil Society Toolbox" (<http://www.pactworld.org/toolbox.html>, August 1st 2000), p. 2.

16. Harbeson, John W., "Civil Society and the Study of African Politics: A Preliminary Assessment", in Harbeson *et al.*, *Civil Society and the State in Africa*, p. 6.

17. *Ibid.*  
18. Hunt, "Civil Society and the Idea of a Commercial Republic", p. 12.

19. The older use of "civil society", which can be traced back to Cicero's use of *societas civilis* as a translation of Aristotle's *koinonia politike*, was more a synonym for political society, closely associated to the "classical republi-

viduals in the market economy from the personal dependency characteristic of pre-commercial feudal society".<sup>22</sup> This line of thought was much less concerned with the separation between "civil society" and the state and more with the question of how "civil society" is integrated into the state and how it can create a separate but not autarkic sphere.

Hegel elaborated a crucial synthesis of these late 18<sup>th</sup> century developments. He located 'civil society' between the sphere of the family and the state and substituted the tripartite division of civil, economic and political society for the classical republican dichotomy between domestic and political society (*oikos* and *polis*).<sup>23</sup> To Hegel,

The irony of civil society (...) is that the individuals who compose it think of themselves as free and independent agents, while they are, in fact, caught up in a 'system of all-round interdependence', in which 'the subsistence and welfare of the individual ... are interwoven with, and grounded on, the subsistence, welfare and rights of all'.<sup>24</sup>

It is important to highlight that Hegel saw 'civil society' as the product of a long historical process that was by no means harmonious by nature, but inherently conflictual. It needed to be controlled politically by the state – especially because of the commercial interests of the rising bourgeoisie.<sup>25</sup> Marx, by comparison, although following Hegel's ideas in conceiving 'civil society' as the historical product of capitalist developments, ultimately saw the state dominated by 'civil society'. The latter was in turn dominated by the bourgeoisie due to its material, socio-economic status.<sup>26</sup> Thus, for Marx, "[t]he anatomy of civil society is to be sought in political economy".<sup>27</sup>

Another important 19<sup>th</sup> century development was de Tocqueville's contribution to the 'civil society' idea. He emphasised the importance of independent, intermediary associations in a democracy to effectively limit the actions of government and as a guarantee against despotism.<sup>28</sup> 'Civil society' then received a crucial modification in the 20<sup>th</sup> century through Gramsci's work. Writing in the era of fascism, he tried to use the concept to grasp a structural connection that forms the organic cohesion of the capitalist economic system and the state. Only by separating 'civil society' from the state and the economy,

according to Gramsci, could one answer the question of how societal consensus (in contrast to state pressure and constraint) evolves through cultural and social hegemony (in contrast to rule). He perceived such a consensus as a precondition for overcoming the capitalist order. In this respect, Gramsci can also be credited with having added the concept of social movements to 'civil society', although he expected their *raison d'être* to dissolve once 'civil society' had become socialist in the course of class struggle. Crucially, though, with Gramsci we find 'civil society' cast in ideological and cultural terms, not in material ones as did Marx, so that ideologies and cultural values are recognised as forces that can shape, disrupt, or even redistribute power.<sup>29</sup>

## The 'rebirth' of 'civil society'

This overview of 'civil society's' evolution in the history of ideas demonstrates two aspects: for one, the idea emerged in a European context and was thus strongly influenced by the history of this region, and later also that of the United States.<sup>30</sup> Secondly, political philosophy has never been unified about the usage of this concept. For this reason alone, it should come as no surprise that there are still divergent, even contradictory approaches to understanding 'civil society' in contemporary thought.

The conceptual variety becomes even less surprising when considering the divergent socio-political contexts in which the idea re-emerged in recent history. 'Civil society's' revival in various streams of democratic theory has been gathering steam in the wake of what Huntington has named the "third wave" of global democratisation.<sup>31</sup> It began with the fall of the Portuguese dictatorship in 1974 and spread from southern Europe especially during the 1980s to Latin America, East and South Asia, and Africa, reaching a climax in the collapse of the Eastern Bloc. In the socialist systems of Eastern Europe 'civil society' initially signified a programme for establishing social forms of life independent from the authoritarian state, as in the case of the Solidarity movement in Poland.<sup>32</sup> In Latin America, the concept was employed in an effort to publicly condemn and oppose the gross

can model of citizenship as the active participation of free and economically independent citizens in the affairs of the polis or *res publica*" (*ibid.*, p. 16).

20. Taylor, Charles, "Invoking Civil Society", in R. E. Goodin and P. Pettit (eds.),

*Contemporary Political Philosophy: An Anthology* (Cambridge, MA: Blackwell 1997), pp. 66-77.

21. See Keane, John, "Despotism and Democracy", in J. Keane (ed.), *Civil Society and the State: New European Perspectives* (London: Verso 1988), pp. 35f. and 44-50.

22. Hunt, "Civil Society and the Idea of a Commercial Republic", p. 12.

23. See *ibid.*, pp. 16-19; Taylor, "Invoking Civil Society", pp. 72-76; and most extensively, Cohen, Jean L. and Arato, Andrew, *Civil Society and Political Theory* (Cambridge, MA: MIT Press 1992), pp. 91-116). This is not to say, however, that Hegel was the first to use a tripartite concept; Machiavelli did so much earlier. My thanks go to Paul Ghils for stressing this.

24. Hunt, "Civil Society and the Idea of a Commercial Republic", pp. 16 and 18f.

25. Cf. Keane, "Despotism and Democracy", pp. 50-52.

26. Cf. Bobbio, Norbert, "Gramsci and the Concept of Civil Society", in Keane, *Civil Society and the State*, pp. 76-81.

27. Cited by *ibid.*, p. 78.

28. For an elaboration, see Keane, "Despotism and Democracy", pp. 58-61.

29. See Cohen and Arato, *Civil Society and Political Theory*, pp. 142-159; and Bobbio, "Gramsci".

30. Hall emphasises this point especially. In a sweeping overview of European history, he develops the key argument that "civil society gained in self-consciousness from the experience of fighting against politico-religious unification drives" and concludes that "[c]ivil society is thus a com-

human rights violations, the severe repression of social and political organisations, and in some cases also to oppose the neo-liberal economic policies of the authoritarian regimes. In the wake of democratic transitions in Sub-Saharan Africa, it was evoked as a promising concept to counter statism and underdevelopment.<sup>33</sup>

This chapter has traced the roots of the idea of 'civil society', both in modern and in most recent history. It has thereby also exposed the roots of the very hybridity of this concept. For it to have an analytical value in our times, it is essential to develop a more definitive conception here.

## Toward a contemporary conceptualisation

To begin with, let us consider what can be crystallised as the smallest common denominator of most 'civil society' concepts one encounters in current literature. Most frequently, 'civil society' is portrayed as an intermediary sphere of social action that is independent of the state.<sup>34</sup> It is seen as the sum of all institutions between the family (as the fundamental unit of social organisation) and the state. In addition, it is also often depicted as separate from the market economy and thus as one of the three integral spheres that constitute society as a whole. In a large number of conceptions, however, the focus is especially on the 'state-civil society' dichotomy<sup>35</sup> – a focus considered to be insufficient here. Normatively, 'civil society' often is seen as influencing and controlling the state, and thus being an important element of a functioning democracy. Others stress 'civil society's' role in holding both the state and the private economy accountable. However, as Cohen and Arato remark, "the relation between normative models of democracy or projects of democratization and the structure, institutions, and dynamics of civil society has remained opaque, in part because there is no sufficiently complex theory of civil society available to us today".<sup>36</sup>

The reason, then, that the traditional dichotomous model of 'state vs. civil society' is rejected here is that it is inadequate for a critical analysis of social, political and economic realities and stratifications. Instead, this paper adopts the

three-part model proposed by Cohen and Arato in which 'civil society' is conceptually differentiated from both the state as well as from the economy.<sup>37</sup> This is based on the recognition that the capitalist market economy, be it already extant or just emerging in a given society, can have just as much impact on aspects of solidarity, social justice and autonomy within 'civil society' as the power of the state. The underlying definition here thus conceives of 'civil society' as a sphere of social interaction between economy and state, composed above all of the intimate sphere (especially the family), the sphere of associations (especially voluntary associations), social movements, and forms of public communication.<sup>38</sup>

In addition, it needs to be stressed that the forms of association we encounter in this sphere seek to articulate values, create solidarity, and represent their interests.

In order to accentuate that the three spheres are conceptually differentiated but must always be considered in relation to one another, the basic model is extended by two more layers: 'political' and 'economic' society. The former includes, and therefore distinguishes from 'civil society', organisational forms such as political parties and political public institutions (parliaments and congresses), while the latter comprises organisations of production and distribution, for example firms and co-operatives. They generally arise from 'civil society', and thus also share some of 'civil society's' forms of organisation and communication. The actors of 'political' and 'economic' society seek to directly control and manage state power and economic production.

This ultimately five-part model draws our attention to the intricate interdependencies between various structures and agents within society. 'Civil society' has a political role, but it is not with regard to the control or conquest of power: it is with regard to generating influence by means of association and debate in the cultural public sphere to represent interests. 'Civil society' needs the mediating role of 'political' society in its relationship to the state, while the latter is simultaneously rooted within 'civil society'. There is a cognate relationship between 'civil' and 'economic' society, although the latter

plex balance of consensus and conflict, the valuation of as much difference as is compatible with the bare minimum of consensus necessary for settled existence" (Hall, John A., "In Search of Civil Society", in J. A. Hall (ed.) *Civil Society: Theory, History, Comparison* (Cambridge: Polity Press 1995), pp. 5f.). 'Civil society' received an enormous boost through developments in the means of communication, at the heart of which lie the spread of literacy and the emergence of a mass print culture – without saying that there were no differences between societies such as Britain and Prussia.

31. Huntington, Samuel P., *The Third Wave: Democratization in the Late Twentieth Century* (Norman: University of Oklahoma Press 1991). See also Markoff, John, *Waves of Democracy: Social Movements and Political Change* (Thousand Oaks, CA/London/New Delhi: Sage 1996).

32. A sense captured notably in Keane's collection, *Civil Society and the State*. See also Cohen and Arato, *Civil Society and Political Theory*, pp. 31-36, 58-69; and Keane, John, *Civil Society: Old Images, New Visions* (Cambridge: Polity Press 1998), pp. 20-23.

33. Cf. Keane, *Civil Society: Old Images, New Visions*, pp. 23-25; Cohen and Arato, *Civil Society and Political Theory*, pp. 48-58.

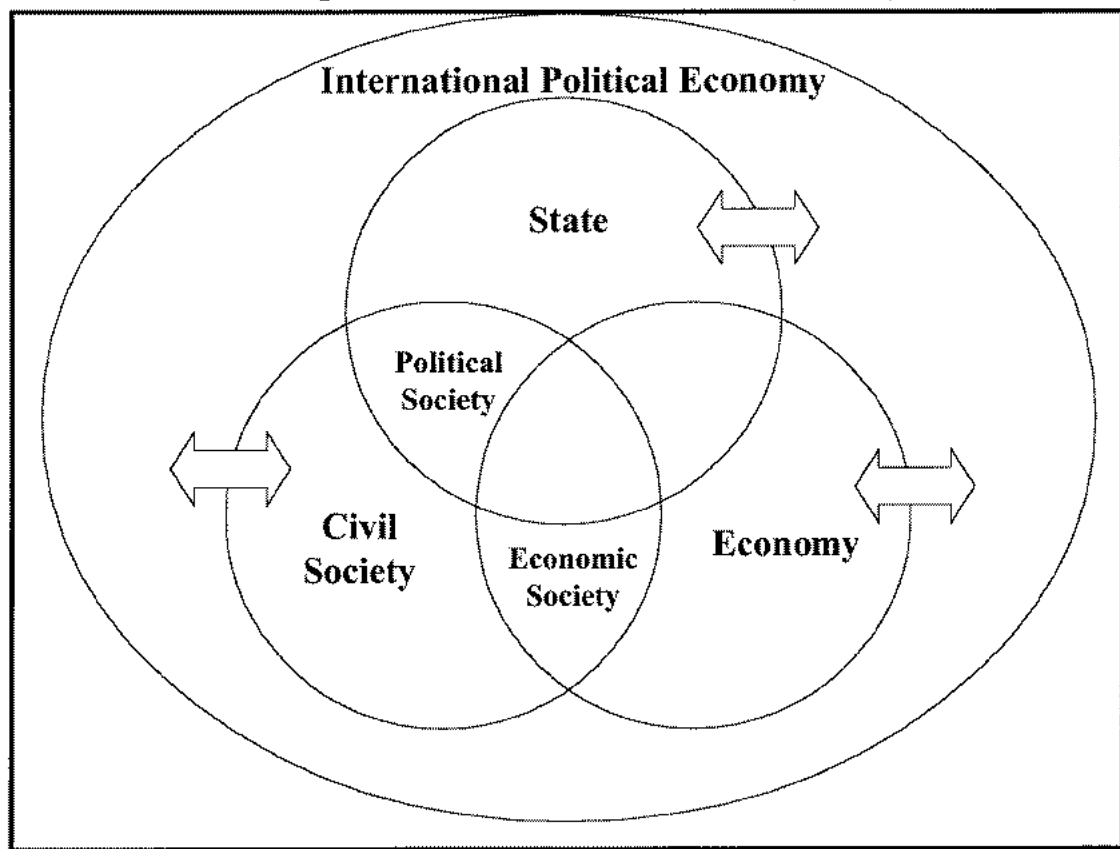
34. The 'intermediary' character is indeed highlighted time and time again in otherwise fairly divergent conceptions. See, for example, Clarke, Gerard, *The Politics of NGOs in South-East Asia: Participation and Protest in the Philippines* (London/New York: Routledge 1998), p. 10; Linz, Juan and Stepan, Alfred, "Toward consolidated democracies", *Journal of Democracy*, April 1996, vol. 6, p. 17; Diamond, Larry J., "Toward Democratic Consolidation", *Journal of Democracy*, 1994,

has historically, under capitalism, been more removed from the influence of 'civil society' than 'political' society. And yet actors of 'economic' society can have a mediating role between 'civil society' and the market system, for instance in the case of trade unions.<sup>39</sup>

Concurring with Schechter, Macdonald and Cox,<sup>40</sup> I subscribe to a conception of civil society as a sphere that consists of a variety of agents with distinct agendas and that is thus inevitably also an inherently political arena of struggle for power and influence in the pursuit of the respective agents' goals. These are not necessarily conducive to democracy but may just as well be antithetical to it. It is by no means a static sphere but a highly dynamic one in which tensions are continually re-negotiated.

Lastly, there is one dimension that Cohen and Arato seem to neglect in their model, namely that of the international political economy. Here we find actors such as International Governmental Organisations (IGOs) and Transnational Corporations (TNCs). I believe it is essential for any complete societal analysis to embed the five-part model of societal structures and interrelations into this additional sphere to account for the influence of exogenous forces on each of the spheres within a society. This influence, in turn, is not necessarily unidirectional. We are again dealing with multi-dimensional power dynamics. Illustration 1 attempts to capture the basic character of the model I am presenting here.

### A conceptual framework for 'civil society' analysis



vol. 5, no. 3, p. 5; White, Gordon, "Civil Society, Democratization and Development (I): Clearing the Analytic Ground", *Democratization*, 1994, vol. 1, no. 3.

35. For example Diamond, "Toward Democratic Consolidation"; and Gellner, *Conditions of Liberty*.

36. Cohen and Arato, *Civil Society and Political Theory*, p. vii.

37. *Ibid.*, viii-ix.

38. *Ibid.*, p. ix.

39. Cf. *ibid.*, pp. ix-x.

40. Schechter, Michael G., "Globalization and Civil Society", in Schechter, *The Revival of Civil Society*, pp. 61-101; Macdonald, Laura, *Supporting Civil Society: The Political Role of Non-Governmental Organizations in Central America* (New York/London: St. Martin's Press/Macmillan Press 1997); Cox, Robert W., "Economic Globalization and the Limits to Liberal Democracy", in A. McGrew (ed.), *The Transformation of Democracy?* (Cambridge: Polity Press with The Open University 1997).

41. Nerfin's synonyms "Prince, Merchant and Citizen", retaken from Machiavelli, are often referred to in this context: Nerfin, Marc, "Neither Prince nor Merchant: Citizen – An Introduction to the Third System", *IFDA Dossier*, 56, November/December 1986, pp. 3-29. Two authors who have been extremely prominent in the study of the 'third sector' according to this model are Salamon and Anheier, e.g. Anheier, Helmut K. and Salamon, Lester M., *The Emerging Nonprofit Sector: An Overview* (New York: St. Martin's Press 1996); Anheier Helmut K. and Salamon, Lester M., *Defining the nonprofit sector: a cross-national analysis* (New York: Manchester University Press 1997).

42. Fowler, Alan, "Strengthening Civil Society in Transition Economies -

## 'Civil society' and the organisational three-sector model: a critique

The aid industry often employs a three-sector model of society, derived from organisational science, that differs from conceptual framework presented here. The organisational model differentiates between different types of organisation and their respective predominant functions for and in society as a whole: the first (government), the second (business), and the third (voluntary) sector.<sup>41</sup> The composition, size and respective interrelations of the three sectors differ from country to country. Nevertheless, the general thrust of the aid system is the attempt to transform the sectors of Southern and Eastern countries, which often have a very dominant first sector, so that they may become more like the Western sectors. In the West, the first sector is supposed to be smaller than the second and third ones – which is, of course, very much a reflection of the neo-liberal agenda of 'rolling back the state'.

'Civil society' is often either misleadingly equated with the 'third sector', or its place within the three-sector model is left rather opaque. This equation is misleading because it casts 'civil society' merely in terms of organisational functionality. Although this model informs much programming in the development industry, it is too flat to grasp all the institutions of 'civil society', the three-(or more)-dimensional patterns of relationships "which condition what society aspires to, how it actually works and who wins and who loses in this process".<sup>42</sup> It is therefore essential to integrate social analysis in order to disaggregate actors *within* and *between* the sectors and to analyse their inter-relationships, as well as to integrate cultural and historical factors, with the aim of ultimately addressing the fundamental question of power distribution between groups "according to race, sex, age, ethnicity, religion, class, geography, etc."<sup>43</sup> This takes us back to three basic questions of social relations and power:

- 1 Who makes the decisions in what areas of social choice?
- 2 Who benefits from decisions?
- 3 Who bears the cost of decisions?<sup>44</sup>

I believe the five-part model outlined above is more suitable to help understand these funda-

mental questions than the organisational three-sector model presented in this section.

### *On the problem of who to count in and who to count out of 'civil society'*

Moving on from the definition level, I will turn to another major problem that contributes to the vagueness of the concept, namely, which forms of association are included and which are excluded in a given conception. There are considerable differences with important implications, and I will consider four associational forms in turn.

### *Non-governmental Organisations*

To begin with, (development) NGOs are generally included and, as we shall see, usually the prime focus of donors when they intend to 'strengthen civil society'.<sup>45</sup> They are often cast, perhaps misleadingly, as the 'voice of the poor and marginalised', and as critical agents of 'civil society' that can hold the state responsible to society. We will have to consider this ideal-type image in more depth later on, but suffice to say at this point that one has to pay special attention to evidence that shows how NGOs can also have an undermining effect on 'civil society' and democracy.<sup>46</sup>

### *Business Organisations*

There is a tendency especially in Western conceptions to exclude business organisations from 'civil society'.<sup>47</sup> This is largely a reflection of how little economic activity takes place outside formal boundaries in the West. For large sections of the world's poor, economic activity, essentially their daily struggle for survival, is informal. "To exclude these people from civil society in their economic roles and include them from many other aspects of their lives has little theoretical justification, even though it may be 'neater'".<sup>48</sup> Even though Cohen and Arato's model does not include business organisations in 'civil society' directly, the additional sphere of 'economic society' does ensure an emphasis on the rootedness of such organisations, for example of co-operatives, in 'civil society'.

from Concept to Strategy: Mapping an Exit in a Maze of Mirrors”, in A. Clayton (ed.), *NGOs, Civil Society and the State: Building Democracy in Transitional Societies* (Oxford: INTRAC 1996), p. 22.

43. *Ibid.*, p. 23; see also Trivedy, Roy and Acharya, Jagabandhu, “Constructing the Case for an Alternative Framework for Understanding Civil Society, the State and the Role of NGOs”, in Clayton, *NGOs, Civil Society and the State*, pp. 55-64.

44. Fowler, “Strengthening Civil Society”, p. 23.

45. A notable exception is Uphoff’s argument not to include NGOs in a ‘third sector’ because of their service provision character that makes them more part of the private sector, in his analysis: Uphoff, Norman, “Why NGOs Are Not a Third Sector: A Sectoral Analysis with Some Thoughts on Accountability, Sustainability, and Evaluation”, in M. Edwards and D. Hulme (eds.): *Beyond the Magic Bullet: NGO Performance and Accountability in the Post-Cold War Period* (West Hartford, CT: Kumarian Press 1996), pp. 23-39.

46. See Clarke, *Politics of NGOs*, p. 9; Hadenius, Axel and Uggla, Fredrik, “Shaping Civil Society”, in Bernard, Helmich and Lehning, *Civil Society and International Development*, p. 45; and Lehning, Percy B., “Towards a Multi-cultural Civil Society: The Role of Social Capital and Democratic Citizenship”, in Bernard, Helmich and Lehning, *Civil Society and International Development*, p. 31.

47. E.g. Diamond, “Toward Democratic Consolidation”, p. 5; Silliman, G. Sidney and Noble, Lela Garner, “Introduction”, in G. S. Silliman and L. G. Noble (eds.), *Organizing for democracy: NGOs, civil society, and the Philippine State*

## *The family*

The sphere of the family is predominantly excluded in ‘civil society’ conceptions, largely because it is generally portrayed as a private sphere in opposition to the more public sphere of ‘civil society’. Along with Cohen and Arato, I believe this to be a misconception. The family is a core institution of ‘civil society’. It is not just an institution of socialisation for the individual (as Hegel saw it) that makes it possible for him or her to participate in ‘civil society’. Habermas has underlined that the institution of the family participates in social life, too,<sup>49</sup> while feminist critiques such as Fraser’s have alerted us to the fact that the family is not somehow detached from the capitalist economy and the state.<sup>50</sup> Families are economic systems in their own right with power relations. These are influenced and in part constructed by the external forces of economic and political systems. Families also hold a key to gender relations and politics that have important implications for gender relations outside of the family, a point to which Habermas did not pay sufficient attention.<sup>51</sup>

## *‘Uncivil’ organisations*

Some authors, such as Naidoo and Tandon, two leaders of CIVICUS, the ‘World Alliance for Citizen Participation’, stress especially the normative aspect of ‘civil society’.<sup>52</sup> They cast it as the “values domain” that entails a set of civic norms and democratic principles. They evoke Putnam’s ‘social capital’<sup>53</sup> as the foundation or “glue” of this domain and equate the former with “the currency of a healthy society”, comprising a set of values that include trust, reciprocity, tolerance, and inclusion.<sup>54</sup> In their view, a strong ‘civil society’ is thus almost a guarantee for more civility, peace and equity in society.<sup>55</sup> The point that some critics make, that some ‘civic’ associations may not be ‘civil’ at all, such as the Mafia or the Ku Klux Klan, is discarded on normative grounds: organisations such as these, according to Naidoo and Tandon, are not seen as part of ‘civil society’ because they do not adhere to ‘civic’ principles of tolerance, non-violence, commitment to promoting the public good, etc.<sup>56</sup> Even though I believe in the need for visions and norms (and a need for

a conscious awareness of the inherent biases they incorporate) when wanting to bring about social change, I believe that such a normative conception of ‘civil society’ undermines its analytical value. The Mafia and the Ku Klux Klan may be extremely obvious examples of ‘uncivility’, but who defines the finer, capillary borders between ‘civil’ and ‘uncivil’ in much more subtle cases? And once we exclude certain associations from our analytical concept of ‘civil society’ on normative grounds, how do we then account for them and how do we illuminate the relationships between ‘civil’ and ‘uncivil’ associations? Should we create another conceptual sphere and label it ‘uncivil society’? These are issues that normative conceptions do not sufficiently address. In my view, accounting for various forms of associational behaviour within a concept of ‘civil society’ is ultimately less prone to overlooking or ignoring the inherently conflictive potential that exists within ‘civil society’.<sup>57</sup>

## **Contextualising ‘civil society’ in contemporary development discourses**

As this chapter will show, it is crucial not to see ‘civil society’ as an isolated phenomenon in current development discourses. The problem with contextualising the disputed and vague discourse of ‘civil society’ in these discourses is that they themselves are extremely vague, broad and ambiguous. They increasingly try to be all things to all people and thus turn into a “discourse of opposites”, as Leys calls it.<sup>58</sup> Concurrently, Moore, Schmitz and Fowler have made important contributions to unravelling these discourses and point towards the serious, impeding implications for the implementation and operationalisation of these development paradigms. In this chapter, I will try to dissect this entangled web of overlaying discourses. To do this, it is helpful to have recourse to Moore’s model of the dynamics of development discourse. He differentiates between three interrelated and interdependent layers of discourse-generating and discourse-modifying spheres. The outer layer is the ‘International Political Economy’, which comprises the global economy as well social movements. This layer usually has more influence on



(Honolulu, Hawaii: University of Hawaii Press 1998), p. 13.

48. Fowler, "Strengthening Civil Society", p. 17.

49. Habermas, Jürgen, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society* (Cambridge, MA: MIT Press 1989 [1962]).

50. Fraser, Nancy, "What's Critical about Critical Theory? The Case of Habermas and Gender", *New German Critique*, 1985, no. 35, pp. 97-131.

51. For a critical discussion of the above, see Cohen and Arato, *Civil Society and Political Theory*, pp. 213-215, 532-548)

52. Shils is one of the most prominent conservative advocates of a normative conception: Shils, Edward, "The Virtue of Civil Society", *Government and Opposition*, 1991, vol. 26, no. 1, pp. 3-20.

53. Putnam, Robert D., *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press 1993).

54. Naidoo, Kumi and Tandon, Rajesh, "The Promise of Civil Society", in CIVICUS, *Civil Society at the Millennium*, p. 11.

55. For a critical treatment of 'social capital' with regard to its undertheorisation and oversimplification, see Foley, Michael W. and Edwards, Bob, "The Paradox of Civil Society", *Journal of Democracy*, 1996, vol. 7, July, pp. 38-52.; *ibid.*, "Escape From Politics? Social Theory and the Social Capital Debate", *American Behavioral Scientist*, 1997, vol. 40, no. 5, pp. 550-561; and Putzel, James, "Accounting for the 'Dark Side' of Social Capital", *Journal of International Development*, 1997, vol. 9, no. 7, pp. 939-949.

56. Naidoo and Tandon, "The Promise of Civil Society", pp. 12-13; for a similar view, see Silliman and Noble, "Introduction", p. 13.

'Development Agency Discourse' and 'Academic Development Discourse' than vice versa, but the flow can occasionally be altered.<sup>59</sup> In other words, "as global expansion of and shifts in hegemony go, so follows, albeit unevenly, development discourse".<sup>60</sup>

### *Fitting 'civil society' into the development lexicon*

A number of concepts or 'buzzwords' have been added to the 'development' discourse over the past decades.<sup>61</sup> They all revolve in one form or another around the triad of equity (economic growth and distribution), sustainability (of societies and environments), and democracy ('political participation', 'good governance', 'people empowerment', and 'order'). It is this discourse in which 'civil society' has been embedded, often used as a proxy for 'participation', 'empowerment', and 'successful democratisation'.<sup>62</sup> The incorporation of these qualitatively positive, value-laden words into the language of the dominant 'development' discourse cloaks it in a benevolent aura that belies its intrinsically unequal and undemocratic character;<sup>63</sup> for in spite of adopting these notions, "development discourse rarely engages with the human realities of the situations in which it is employed and applied".<sup>64</sup> Furthermore,

[these concepts] hold with them a vast array of meanings from left to right, thus allowing them to be used with remarkable facility by a multitude of institutions, agents and social movements and to take on notably different hues in various hegemonic eras. (...) They are (...) essentially contested concepts, (...) arenas for ideological battles. They hold with them both the possibility of preserving what we know of development through the present crisis, but also have the potential of reforming, transforming or even transcending the current system of orthodoxy.<sup>65</sup>

Consequently, the effect of this seemingly consonant and harmonious discourse is that it veils rather divergent political agendas and approaches to 'civil society'.<sup>66</sup> One major reason why development agencies and institutions attempt to co-opt concepts such as these has been elucidated in Ferguson's pathbreaking study of the World Bank.<sup>67</sup> It helps them with

the continuous re-generation of their own discourses that justify their ongoing interventions and serve their own strategic interests.

'Civil society' has thus been constructed as an integral part of the currently dominant development paradigm: it is intimately tied into a set of prescriptions that see competitive markets, (liberal) democracy (*i. e.* 'good governance' in current development *lingo*), and equitable 'civil society' as the conditions for (capitalist) development.<sup>68</sup> This paradigm took centre stage when it became all too obvious that the neo-liberal, economic growth-centred paradigm that ruled especially during the 1980s was failing in many ways.<sup>69</sup> Parallely, the beginning of the 1990s was a time when the international political economy became increasingly dominated by the discourses of democratisation and economic globalisation. This 'development' discourse is seen with Moore as an integral part of the 'organisers of capitalism's' aim to gain and maintain hegemony (in the Gramscian sense), that is to make capitalism seem the natural order of things on a global scale. Yet, capitalism has to struggle constantly against its inherent crises, and the 'organisers' are by no means a cohesive group or made up of only one class.<sup>70</sup> This will become clear when we discuss three major ideological positions within the 'development' discourse in the following section.

### **Ideological currents within the dominant discourse**

Macdonald identifies three main ideological currents with regard to conceptions of 'civil society': neo-conservative, liberal-pluralist, and neo- (or post-) Marxist.<sup>71</sup> This distinction provides a useful framework for mapping the ideological combatants within the development discourse, both with regard to development agency and academic spheres. Divisions between agents are not always as clear as the map suggests since they are not necessarily mutually exclusive, but it nonetheless helps to structure our analysis.

#### *The neo-conservative position*

The neo-conservative position is often represented by organisations like the International

57. Keane, *Civil Society: Old Images, New Visions*, pp. 114-156, provides us with a scholarly account of how and why every form of 'civil society' tends to produce a violent, uncivil antithesis.

58. Leys, Colin, *The Rise and Fall of Development Theory* (Nairobi/Bloomington/Indianapolis/Oxford: EAEP/Indiana University Press/James Currey 1996), p. 26.

59. Moore, David B., "Development Discourse as Hegemony: Towards an Ideological History - 1945-1995", in D. B. Moore and G. G. Schmitz (eds.):

*Debating Development Discourse: Institutional and Popular Perspectives* (London: Macmillan 1995), pp. 10-13.

60. *Ibid.*, p. 1.

61. The point is that the dominant 'development' discourse is not as homogenous as Escobar, for instance, depicts it, and that it has experienced paradigmatic shifts. However, what has remained the same in the dominant discourse's conception of 'development' is a sense of an almost mystical capacity to solve all the problems that beset humankind without really ever abandoning its intrinsic and fundamental notions of growth, evolution and modernisation.

Cf. Watts, Michael J., "Development I: Power, Knowledge, Discursive Practice", *Progress in Human Geography*, 1993, vol. 17, no. 2, p. 259.

62 Cf. Stanton, Kimberly, "Promoting Civil Society: Reflections on Concepts and Practice", in Schechter, *The Revival of Civil Society*, p. 244; Macdonald, *Supporting Civil Society*, p. 2.

63. Schmitz, Gerald G., "Democratization and Demystification: Deconstructing 'Governance' as Development Paradigm", in Moore and Schmitz, *Debating Development Discourse*, p. 55f.

64. James, Wendy, "Empowering ambiguities",

Monetary Fund (IMF), the World Bank, other multilateral development banks, and various U.S. bureaucracies.<sup>72</sup> The latter include, for instance, the National Endowment for Democracy, for which Diamond and Mathews are particularly prominent academic writers on democracy issues.<sup>73</sup> In this construction, the spheres of 'civil society' and the state are sharply contrasted. The former is invested with neo-conservative values such as strong individualism and self-interest, hard work, freedom of choice, private property, and distrust of state bureaucracy,<sup>74</sup> while this ideological framework would like to see the state withdraw from certain social, economic and political fields because it (supposedly) cannot or should not carry out these tasks anymore. CSOs are equated with the private sector as useful service providers to alleviate the most pressing needs of the poor so as to avoid political instability. In other words, the (poor and marginalised) people are invited to 'participate' in 'civil society' "but discouraged from congealing into 'radical-populist' social movements considering making alliances coalescing around and permeating the state – especially a state that just might not be strong enough (...) to absorb any hegemonic challenges" to the productive assets of transnational capital.<sup>75</sup> Other actors with potential influence in 'development' and 'civil society' building efforts, such as the media and especially the state, are thus purposefully and fallaciously marginalised by this discourse.<sup>76</sup> This fails to take account of the fact that governments as well as international organisations and TNCs can have both positive and negative impacts on the genesis and maintenance of 'civil society' structures.

Furthermore, the neo-conservative position (just as the liberal-pluralist one) evokes 'civil society' as a crucial aspect for making young democracies sustainable.<sup>77</sup> This discourse constructs democracy, capitalism and free markets as having a 'naturally' synergetic relationship. They are even (in)famously depicted as being inevitable, as constituting "the end of history".<sup>78</sup> In this discourse, 'civil society' becomes a basic part of a very specific, 'natural' order. In fact, however, efforts to statistically prove positive relations between democracy and economic growth have been inconclusive or unable to

demonstrate a stable relation between the two, let alone between democracy and income distribution.<sup>79</sup> These findings alone undermine this discourse's construct of a 'natural order', quite apart from the fact that it moreover largely ignores the structural injustices and inequalities of this order.<sup>80</sup>

### *The liberal-pluralist position*

The liberal-pluralist position follows in the footsteps of de Tocqueville and adheres largely to Dahl's concept of polyarchy.<sup>81</sup> CSOs are here represented as fora for individual political participation through organisation and association and are often cast as a counterbalance to the (authoritarian) state. Individualism is thus stressed as a core element of 'civil society': The voluntary character of the associations, the ability of and opportunity for an individual to exit a "social cage", is essential for a society to be 'civil'.<sup>82</sup> The problems Macdonald perceives with this position is that it ignores forms of oppression and inequality within 'civil society' that ultimately always benefit those who are more educated, better organised and more wealthy to represent their interests in the pluralistic system. The structural causes of these conflicts and the structural constraints imposed on 'civil society' and the state by the international economic order are too much neglected in this conception.<sup>83</sup>

### *The neo-marxist position*

The third, neo-Marxist, position, drawing especially on Gramsci's writings, refutes the distinction between state and 'civil society' as drawn by the other two positions. The two spheres are highly interdependent: state power is not maintained solely by traditional, formal organisations of 'political society', but also through many 'civil society' institutions; 'civil society' does not possess the moral highground over the state. The highly variable character of 'civil society' is explicitly recognised, along with the realisation that certain sections within 'civil society' can be highly repressive and strongly undermine democracy. Therefore, "NGOs must be ready to choose the side of the poor, against the interests

in A. Cheater (ed.), *The Anthropology of Power: Empowerment and Disempowerment in Changing Structures* (London/New York: Routledge 1999), p. 13.  
65. Moore, "Development Discourse as Hegemony", p. 3.

66. There are insightful anthropological studies which reveal how discourses of development and their concepts are not simply adopted by the people in the developing countries who are supposed to be the 'targets' of 'development' projects.

Concepts are resisted, hybridised with local forms and transformed (Pigg, Stacey Leigh, "Inventing Social Category Through Place: Social Representations and Development in Nepal", *Comparative Studies in Society and History*, 1992, vol. 34, no. 3, pp. 491-513.); or, as Woost demonstrates in the case of the 'participation' concept in Sri Lanka, the rhetoric is laundered and reshaped by the ruling elite, glossing over the stringent conditions under which people are allowed to 'participate', to implement market-led strategies (Woost, M. D., "Alternative Vocabularies of Development? 'Community' and 'Participation' in Development Discourses in Sri Lanka", in R. D. Grillo and R. L. Stirrat (eds.), *Discourses of Development: Anthropological Perspectives* (Oxford/New York: Berg 1997).

67. Ferguson, James, *The Anti-Politics Machine: 'Development', Depoliticization, and Bureaucratic Power in Lesotho* (Cambridge: Cambridge University Press 1990).

68. See Brett, E. A., "Development Theory, Universal Values and Competing Paradigms: Capitalist Trajectories and Social Conflict" (London: LSE-DESTIN 2000) (= DESTIN Working Paper Series No. 00-02), p. 3;

of the rich and powerful, while the state must create an environment in which conflicts can be accommodated in a peaceful manner".<sup>84</sup> This recognition of NGOs and social movements distinguishes neo-Marxists from Gramsci's "insistence on the proletariat as the historical agent of socialist change".<sup>85</sup> Moreover, post-Marxism addresses the power relations within the family, both against the discrimination of women in the Western history of ideas behind the 'civil society' concept and against the ongoing discrimination and exclusion of women in the development process of the South. Lastly, this position incorporates the structural conditions and effects of the international system in its analysis. An example of this position in the academic discourse are the contributions in Harbeson et al.<sup>86</sup> One of the editors depicts the 'civil society' concept as being able to fill "an important gap in social science theory regarding African problems of political and socioeconomic development on the ground. (...) The missing dimension supplied by the idea of civil society is that, in process terms, working understandings concerning the basic rules of the political game or structure of the state emerge from within society and the economy at large."<sup>87</sup> It thus seems that the neo-Marxist position is the most inclined to employ the kind of 'civil society' model we are advocating here.

## On the transferability of a Western concept

A critique that is very often made from a Southern perspective is that 'civil society' is essentially a Western concept and not as easily transferable or applicable to other societies, in contrast to many donors' perceptions. Fowler makes a related point when he writes, "Mirroring occurs in the civil society [conceptual] maze because Northern analysts are inclined to treat the South and East as reflections of themselves and their own historical experience which (...) is a contestable, if not arrogant, assumption".<sup>88</sup>

A crucial distinction between Western and non-Western (civil) societies has to be made in any analysis of them: that the disjunctive and disruptive effects of colonialism and imperialism, as well as of the Cold War, caused very

diverging, "unorganic" trajectories in the developments of the formerly colonised territories and their nation state formation processes.<sup>89</sup> Another point is that the colonial legacy and the continuing domination of the world system, including especially the aid industry, by Western or Northern forces has contributed to the existence of contending moralities and norms in non-Western 'civil societies' that co-exist and jostle with each other. These underlie forms of social association and organisation that do not necessarily match the Western conception of formally registered or legally incorporated organisational forms. Rather, they are informal (in a legal sense) and/or enmeshed with indigenous ways of associating, often in terms of kinship.

These types of civicness interact with each other in complex, and situation-specific ways, forming a dualistic reality which is not consistent with how the West appreciates civil society. In its turn, this means that the international aid system does not see or cannot value informal expressions of civic association and because it does not appreciate them it thinks that they either do not exist, or are up to no good.<sup>90</sup>

A calamitous consequence, as studies by Maina and by Fatton reveal,<sup>91</sup> is that "donors not only de-ethnicise, de-class and de-tribalise civil society but ultimately fail to [identify] strategic social forces for political change".<sup>92</sup>

Mahatma Gandhi's remark that the idea of British civilisation would be a good one should alert us to the danger of submitting ourselves to the illusion that the origins of the Western (normative) conception of 'civil society' are a continuous story of unique civility. Unless, as Chomsky reminds us, one would want to see what de Tocqueville fancied as the "triumphal march of civilization across the [American] desert" that, however, slaughtered the native Americans, as a truly 'great foundation' of our 'civil society'.<sup>93</sup> Moreover, recalling the origins of 'civil society' in 'Western' history, we should not forget that 'Europe' is not a homogenous entity in itself. Its nations have had distinct historical trajectories, certainly not independent of one another. Nevertheless, these differences do account for divergent 'civil societies', even within the West.

Holloway, "Civil Society Toolbox"; World Bank, *World Development Report 1997* (Washington, DC: World Bank 1997). This dominant paradigm is, of course, not without critics, the most severe of which belong to the so-called post-development school. They attack the moral superiority complex of the dominant Western paradigm (Escobar, *Encountering Development*) since it gives "global hegemony to a purely Western genealogy of history, robbing peoples of different cultures of the opportunity to define the forms of their social life" (Esteve, "Development", p. 9f.).

69. For an incisive critique especially with regard to the disastrous human and ecological effects of the large-scale World Bank (as one of the key development agencies of the 'Washington Consensus') projects of that era, see Rich, Bruce, *Mortgaging the Earth: The World Bank, Environmental Impoverishment and the Crisis of Development* (London: Earthscan 1994), and earlier already Hayter, T. and Watson, C., *Aid, Rhetoric and Reality* (London: Pluto Press 1985).

70. For an elaboration, see Moore, "Development Discourse as Hegemony", p. 7f.

71. Macdonald, *Supporting Civil Society*, pp. 15-22.

72. The positions within institutions like the World Bank are not inevitably monolithic. The discourse of 'civil society', however conceived, was not unilaterally welcomed by World Bank technocrats. And even though the seminal 1997 *World Development Report* recognised differential power distribution within 'civil society', it is generally not given much attention in practice (see Howell, "Manufacturing Civil Society", pp. 7f., 16). For an account of how the multilateral development banks' support for civil society is more rhetoric than action, see

In sum, civil society is a Western construction which cannot simply be applied as a template for analysing how other countries function and how state and society inter-relate. Therefore, to be useful as a tool for understanding how societies work and how they can be changed by whom, informalism and non-Western modes of relating must be built into the civic picture, particularly responses to inorganic growth.<sup>94</sup>

### On problems and prospects of 'civil society' in development practice

For truth in its essence consists of action in accomplishment, in creating something of oneself outside of oneself – not in constructing beautiful images in the silence of the mind, emotional images which are contemplated introspectively.

*Emile Durkheim*

The results of 'development' according to the dominant development paradigms have been more than ambiguous to date. There has been considerable economic growth in some regions, but this did not depend solely on market forces. State intervention has been crucial in the success stories of the 'Asian Tigers'.<sup>95</sup> But as Brett summarises, various countries have experienced serious economic crises following market reforms; structural adjustment programmes often do not succeed and have been shown to have disastrous 'side-effects' on human beings and the environment.<sup>96</sup> The benefits of economic growth are still much greater for the privileged minority of the world's population, half of which still lives in countries with per capita GNP below \$500, and the absolute gaps between the rich and the poor have continued to grow since the 1960s.

Against this background, 'good governance' became increasingly prominent on the international aid policy agenda as official donors introduced an increasing degree of political conditionality to pressurise authoritarian and 'corrupt' regimes to reform.<sup>97</sup> It was not so much a matter of recognising inherent faults in the 'development project' as a whole, but rather a shift from what can be dubbed as "getting the markets right" (*i.e.* the neo-liberal development agenda that had replaced a Keynesian "getting

the state right" approach) to "getting the institutions right". Yet, donors frequently failed in the strict and consistent application of conditionalities, and one came to realise that multi-party, democratic elections did not necessarily result in a more democratic culture or better 'governance'.<sup>98</sup> Enter 'civil society': re-discovered as the foundation for a democratic society, it is invoked to ensure an accountable, transparent and effective state by virtue of the demands a 'strong civil society' can voice. In addition, 'civil society' was also evoked to ameliorate the negative effects of SAPs – at least within the reductionist neo-liberal discourse. This reductionism loses (or purposefully ignores) the critical political roles and functions of 'civil society' that are actually rooted, as we have seen, in modern philosophy from Locke via Hegel and de Tocqueville to Marx and Gramsci. Leftwich, in a critical review of the institutional focus of 'good governance', uncovers how much the political dimensions are ignored by this approach in general, while Schmitz offers an even more strident deconstruction of the 'good governance' paradigm.<sup>99</sup>

'Civil society' has thus received an increasing amount of interest and resources, but too often it has been perceived as a technological 'fix' that would automatically contribute to the flowering of democracy and – closely related – to economic growth. It should not come as a surprise that even 'civil society' enthusiasts like Ball and Knight have to recognise that even though the paradigm of development aid may have changed in favour of 'civil society' in the 1990s, the basic methods have not.<sup>100</sup> Fowler has shown how much the North tries to use foreign aid to create institutions and organisations in the South that mirror the ones in the North.<sup>101</sup> In the words of other commentators,

Just as economic developers see the needs for the infrastructure of roads, railways, telephone poles and wires, electricity, and so on, civil society developers see the need for information, training, and technical assistance, opportunities for networking, appropriate legal systems, sensitive fiscal frameworks, finance, and so on.<sup>102</sup>

Hence, this is yet again a supply-side model of development, and there is growing evidence that supply-side 'civil society' development trickles

Mello, Fatima V., "Making the World Bank More Accountable: Activism in the South", NACLA Report on the Americas 29, May/June 1996, pp. 21f.

73. See, for example, Diamond, Larry J. (ed.), *The Democratic Revolution: Struggles for Freedom and Pluralism in the Developing World* (New York: Freedom House 1992) (= Perspectives on Freedom 12); Diamond, Larry J., *Developing democracy: toward consolidation* (Baltimore, MD: Johns Hopkins University Press 1999); Diamond, Larry J. and Plattner, Marc F. (eds.), *The global resurgence of democracy* (Baltimore, MD: Johns Hopkins University Press 1996, 2nd edition); Mathews, Jessica T., "Power Shift", *Foreign Affairs*, 1997, vol. 76, no. 1, pp. 50-66.

74. See Keane, John, "Introduction", in Keane, *Civil Society and the State*, pp. 6f., for a critical perspective on this position.

75. Moore, "Development Discourse as Hegemony", p. 19; see also Schmitz, "Democratization and Demystification", p. 57; and Hippler, Jochen, "Democratisation of the Third World After the End of the Cold War", in J. Hippler (ed.), *The Democratization of Disempowerment: The Problem of Democracy in the Third World* (London/East Haven, CT/Amsterdam: Pluto Press/Transnational Institute 1995), pp. 19-29.

76. Cf. Lehning, "Multi-cultural Civil Society", pp. 36f.; Hadenius and Ugglå, "Shaping Civil Society", pp. 49-51; and *ibid.*, "Making Civil Society Work, Promoting Democratic Development: What Can States and Donors Do?", *World Development*, 1996, vol. 24, no. 10, pp. 1628-1634. For an overview on more positions criticising the conception of 'civil society' as an antidote to the state, see Van Rooy, Alison, "Civil

down to the poor as little as supply-side economics. Strategies aimed at 'strengthening civil society' often focus on building or supporting NGOs (with organisational structures modelled after Northern conceptions and bureaucratic needs) which are more often than not based in cities and staffed by middle-class professionals; the notion of NGOs being able to reach the 'grassroots' and to 'teach democracy' through their participatory approaches too often remains a myth.<sup>103</sup> A focus on NGOs as service providers may fill gaps the state has created, but it may also further undermine an already weak state, or lead to fatally ignoring the state where it would be a much better service provider than a fragmented array of NGOs.<sup>104</sup>

### The problem of the 'NGO focus'

It is a fundamental problem in the discourse of 'civil society' that many agencies and authors simply equate 'civil society' with (mostly development) NGOs. The term NGO is predominantly used with reference to advocacy NGOs and also service-provision NGOs. This obviously excludes a large variety of other associations that could be labelled CSOs in a more encompassing effort. Carothers demonstrates this problem convincingly in respect to U.S. 'democracy' and 'civil society' assistance.<sup>105</sup> NGOs are all too frequently very recent, imported forms of organisation without strong roots in local communities. There is a danger of ignoring other forms of organisation that may be much less policy-oriented, but "more sensitive to local opinion and far more likely to endure over time".<sup>106</sup>

Various critics have repeatedly stressed that, apart from overlooking many other forms of association within 'civil society', not all NGOs have a good record of building links and forming alliances with, for example, mass movements, human rights groups, or trade unions. They frequently shy away from direct confrontation with the 'host' state and try to circumvent a more political role in favour of focussing on service provision. It is therefore equivocal to assume that support for NGOs does automatically lead to a strengthening of 'civil society'. This may even have the exact

opposite effect, for instance, when NGOs ignore local power structures. Lastly, a recurring and still not resolved problem is the lack of accountability and legitimacy especially of foreign or externally funded NGOs to 'their' local partner 'communities'.<sup>107</sup>

Robinson draws our attention to further problems with respect to donor-CSO relationships. Few donors provide a rationale for selecting particular types of organisations to co-operate with, or even a clear categorisation of those CSOs they (intend to) support.<sup>108</sup> On the funding side, there has not been as much of a financial commitment to supporting CSOs as the rhetoric might suggest,<sup>109</sup> plus it has been much more ad hoc and reactive than strategic and proactive. Donors rarely seem to conduct in depth needs assessment studies or surveys of CSOs in individual countries, and the co-ordination between donors with regard to 'civil society' support is fairly weak.

### Distortion of power structures

Another danger, especially with neo-conservative and liberal-pluralist conceptions of 'civil society', is that a focus on 'strengthening civil society' can obscure some of the power relationships involved, including those between NGOs and donors and between NGOs and states. Dependencies in the mechanisms of North-South development co-operation may easily perpetuate imbalances and contortions in Southern 'civil societies'.<sup>110</sup> This is in part due to the fact that this focus, this discourse of 'strengthening civil society' by channelling funds through NGOs, often allows donors to evade a direct confrontation of the fundamental, structural problems and causes of poverty and injustice.<sup>111</sup> Moreover, a donor focus on 'civil society' and NGOs can distort political developments within a society, as Stanton demonstrates in the case of US interventions in Cuba,<sup>112</sup> and have counterproductive effects on social transformation.<sup>113</sup>

There is moreover an inherent contradiction in claiming to want to 'empower' people by 'strengthening civil society' when it is based on a paradigm that is constructed with the authority of 'objective science'. The point Brett makes, drawing on Habermas, with reference to the

Society as Idea: An Analytical Hatstand?", in A. Van Rooy (ed.): *Civil Society and the Aid Industry* (London: Earthscan 1998), pp. 24-27.

77. Cf. Mitlin, "The NGO Sector", pp. 83f.; Hadenius and Ugglå, "Making Civil Society Work", p. 1622.

78. Fukuyama, Francis, *The End of History and the Last Man* (New York: The Free Press 1992).

79. See Sen, Amartya, "Development Thinking at the Beginning of the 21st Century" (London: Development Economics Research Programme, STICERD) (= DERP No. 2), pp. 14-16; Ersson, Svante and Lane, Jan-Erik, "Democracy and Development: A Statistical Exploration", in A. Leftwich (ed.), *Democracy and Development* (Cambridge: Polity Press 1996), pp. 45-73;

Munck, Ronaldo, "Democracy and Development: Deconstruction and Debates", in Sklair, Leslie (ed.): *Capitalism and Development* (London/New York: Routledge 1994), pp. 23-25.

80. Cf. Schmitz, "Democratization and Demystification", pp. 59-61; Watts, "Development I", p. 257.

81. Dahl, Robert A., *Polyarchy: Participation and Opposition* (New Haven: Yale University Press 1971); *ibid.*, *Democracy and Its Critics* (New Haven: Yale University Press 1989).

82. Hall, "In Search of Civil Society", p. 15; Gellner, *Conditions of Liberty*.

83. See Macdonald, *Supporting Civil Society*, pp. 153-156.

84. *Ibid.*, p. 21.

85. *Ibid.*, p. 20.

86. Harbeson et al., *Civil Society and the State in Africa*.

87. Harbeson, "Civil Society and the Study of African Politics", p. 3; see also pp. 7-9.

88. Fowler, "Strengthening Civil Society", p. 13.

effect of the dominant paradigm on local politicians,<sup>114</sup> can in fact be extended to agents of 'civil society' as well. They can be reduced to mere agents "of a scientific intelligence, which (...) elaborates the objective implications and requirements of available techniques and resources as well as the optimal strategies and rules of control", thus leaving them with "nothing but a fictitious decision-making power".<sup>115</sup>

Lastly, "The mantra of civil society being voiced by the official aid system has a tone of harmony, suggesting a oneness of purpose which is just not in keeping with reality".<sup>116</sup> As I have already pointed out above, some of this disharmony is due to the effects of colonial disruption, competing internal forces and the influence of divergent external forces. It is a fallacy with severe consequences to ignore this cacophonous character when crafting policies and programmes intended to strengthen 'civil society'. A societal analysis that is to serve as an adequate foundation for any policies and programmes needs to account for all of these levels of influence, as suggested by the analytical framework we have proposed here. Simply 'creating' plethora of associations as an expression of people's action is not sufficient for 'civil society' to function as an 'intermediary' sphere for the conflicting and competing interests of various social groups and factions.<sup>117</sup>

## Conclusion

If your voice and ours were united with the voices of all the dispossessed, nothing would be left standing of the gigantic lie they make us swallow every day and every night.

*Subcomandante Marcos*

With the discussion above in mind, one may wonder whether agents and movements of 'civil society', the objects of so much conceptual and normative debate, do in fact have the potential to make a substantial contribution to change (their own) development, to make it 'more successful' than it has been in the past, or to even challenge the power structures that have created and continue to influence so many conditions of poverty and deprivation. With reference to these movements, Moore may have a point

when he says that, "the fact that they are the targets of much hegemonic effort in [International Financial Institutions] and 'development' agencies would indicate that they have radical potential".<sup>118</sup> This paper has shown that such "hegemonic effort" exists with regard to the concept of 'civil society'. Perhaps, then, voices such as those of Subcomandante Marcos have more than just marginal radical potential to challenge the dominant discourses of 'development'. Escobar certainly sees such potential emerging in various parts of the Third World, but he remains rather vague about it.<sup>119</sup> In this regard, I concur with Harbeson's view that, "the elusiveness of 'development' or 'progress' – however these may be defined – on the ground (...) is paralleled by ongoing insufficiencies in our theoretical understanding of what is occurring and how to effect constructive change".<sup>120</sup>

A sufficiently complex conception of 'civil society', without strong normative inhibitions, such as the one I am proposing here, can improve this "theoretical understanding". This concept can be of high analytical value to help describe and understand intricate societal processes and structures, including popular political participation, in their multiple dimensions. This does not preclude considerable caution when applying this concept. After all, it has been developed based on experiences of a specifically European socio-historical context.

We must remember that civil society (...) is a theoretical concept rather than an empirical one. It cannot be directly observed. Instead, it is a synthetic conceptual construct that encompasses the wide variety of forms of popular collective action that occur in the public realm. (...) It summarizes, at a macroconceptual level, microempirical actions that citizens employ for political ends in the material, organizational, and ideological realms. Although political resources, organizations, and ideas may be observed, none alone can capture the quality and complexity of civil society as a whole.<sup>121</sup>

What future research will need to pay much more attention to is in how far actors within 'civil society' consciously experience themselves as 'active' socio-political forces, a direction that Harbeson points to as well.<sup>122</sup> I have drawn repeatedly on anthropological studies in this

89. There are authors who might not agree with the phrase “formerly colonised”, as they perceive an ongoing form of colonisation by “the West” through language, literature and culture. For example, see Said, Edward, *Culture and Imperialism* (London: Vintage 1994 [1993]); and Chomsky, *Powers and Prospects*.

90. Fowler, “Strengthening Civil Society”, pp. 14f. This argument is underscored by the findings of Harper in her analysis of NGOs’ roles in East Asia (Harper, Caroline, “Strengthening Civil Society in Transitional East Asia”, in Clayton, *NGOs, Civil Society and the State*, pp. 125-140), and by Nuijten’s anthropological analysis of local organisation in Mexican *ejidos* where ‘organisation’ is a set of practices, a re-shaping process, and not a bounded social system that formal (Western) bureaucratic rationality expects (Nuijten, Monique, “Local organization as organizing practices: Rethinking rural institutions”, in N. Long and A. Long (eds.), *Battlefields of Knowledge: The Interlocking of Theory and Practice in Social Research and Development* (London/New York: Routledge 1992), pp. 189-207).

91. Maina, Wachira, “Kenya: The State, Donors and the Politics of Democratisation”, in Van Rooy, *Civil Society and the Aid Industry*, pp. 134-167; Fatton, Robert, “Africa in the Age of Democratisation: The Civic Limitations of Civil Society”, *African Studies Review*, 1995, vol. 38, no. 2, pp. 67-99.

92. Howell, “Manufacturing Civil Society”, p. 19.

93. Chomsky, *Powers and Prospects*, pp. 67f.

94. Fowler, “Strengthening Civil Society”, p. 19.

95. See Wade, Robert, *Governing the Market: Economic Theory and the Role of Government in East Asian Industrialization* (Princeton: Princeton University Press

paper and believe that ethnography is an estimable methodology to fill this model of ‘civil society’ presented here with life in this respect.

The discussion of ‘development’ practice has also revealed that the way ‘civil society’ is generally operationalised by the aid industry more often than not neglects wider power structures that affect people’s ability to be truly self-determined and self-conscious forces of change. ‘Strengthening civil society’ is often expressed in terms of ‘empowerment’. This is another contested concept that we cannot duly deconstruct here as Rahnema does,<sup>123</sup> but it may be a fundamental misconception of development agencies that they could “give” power to the people instead of them “taking” it – on their terms.<sup>124</sup> It may also be an intentional process of neutralisation “by which radical ideas and agents (...) are assimilated or coopted, leaving an existing discourse still dominant and without radical change to entrenched power structures”.<sup>125</sup>

Authors such as Moore and Ferguson stress how much discourse (re-) generation is a political and ideological process. We need to pay heed to

struggles between protagonists about reforms within the discourse “because both reform and reaction are born of clear challenges to orthodoxy and thus imply, in their own ways, revolution”.<sup>126</sup> A deep analysis of a given development institution or agency is required to understand in how far reforms do take shape and substance within development institutions, if ‘new’ concepts like ‘civil society’ are merely co-opted by the existing discourse of an institution to ensure its own legitimacy, and if and how such a concept or a whole paradigm makes its way from the conceptual to the practical level of implementation. I see a necessity for analyses of this kind because although writers of the ‘post-development school’ want to write an obituary of ‘development’, the “ruin in the intellectual landscape”,<sup>127</sup> I agree with Moore that ‘development’ is not dead and continues to affect the lives of millions of people. Within this discourse, the difference between ideological positions and the practical implications of their conceptions “could spell the difference between life and death for millions”.<sup>128</sup>

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1990); and *ibid.*, "Governing the Market: A Decade Later" (London: LSE-DESTIN 2000) (= DESTIN Working Paper Series No.00-03).

96. See Brett, "Development Theory", p. 3, and footnote 69 in this paper.

97. 'Good governance' certainly has not lost prominence in the mainstream orthodoxy, as evident in the *World Development Report 2000/2001* which repeatedly stresses that 'governance' is closely related to poverty outcomes (World Bank 2001: *World Development Report 2000/2001: Attacking Poverty* (Oxford/Washington, DC: Oxford University Press for the World Bank)).

98. See Clayton, Andrew, "Preface", in Clayton, *NGOs, Civil Society and the State*, pp. 7-10; Robinson, Mark, "The Role of Aid Donors in Strengthening Civil Society", in Clayton, *NGOs, Civil Society and the State*, pp. 204-218; and Mosley, Paul, Harrigan, Jane and Toye, John, *Aid and Power: The World Bank & Policy-based Lending* (London/New York: Routledge 1995, 2nd edition).

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100. Ball and Knight, "Listen to Citizens". For a less enthusiastic approach to 'civil society' support that arrives at the same conclusion, see Hearn, Julie, "Foreign Aid, Democratization and Civil Society in Africa: A Study of South Africa, Ghana and Uganda" (Brighton: IDS 1999) (= IDS Discussion Paper 368), pp. 11f.

101. Fowler, *Striking a Balance*.

102. Ball and Knight, "Listen to Citizens", p. 21.

103. See, for instance, Dicklitch's illuminating study of NGOs in Uganda (Dicklitch, Susan, *The Elusive*

Cohen, Jean L. and Arato, Andrew, *Civil Society and Political Theory* (Cambridge, MA: MIT Press 1992).

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106. Stanton, "Promoting Civil Society", p. 249.

107. See, for example, Stanton, "Promoting Civil Society", pp. 246-248; the contributions in Clayton, *NGOs, Civil Society and the State*; and in Edwards and Hulme, *Beyond the Magic Bullet*.

108. Robinson, "Role of Aid-Donors".

109. See also Hearn, "Foreign Aid", p. 6.

110. Macdonald, *Supporting Civil Society*, p. 4; see also Lehmann, David, *Democracy and Development in Latin America: Economics, Politics and Religion in the Postwar Period* (Cambridge: Polity Press 1990), p. 189.

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112. Stanton, "Promoting Civil Society", p. 248.
113. See Smillie, Ian, "NGOs and development assistance: a change in mind-set?", *Third World Quarterly*, 1997, vol. 18, no. 3, p. 565; Van Rooy and Robinson, "Out of the Ivory Tower", p. 31. This is, of course, a point that applies to exogenous interventions in general, and not just to support of NGOs.
114. Brett, "Development Theory", p. 3.
115. Habermas, Jürgen, "The scientization of politics and public opinion", in *Toward a Rational Society* (London: Heinemann Educational Books 1971), pp. 63f.
116. Fowler, "Strengthening Civil Society", p. 18.
117. Cf. *ibid.*, pp. 18f.
118. Moore, "Development Discourse as Hegemony", p. 16.
119. Escobar, *Encountering Development*, pp. 224-226.
120. Harbeson, "Civil Society and the Study of African Politics", p. 285.
121. Bratton, Michael, "Civil Society and Political Transitions in Africa", in Harbeson *et al.*, *Civil Society and the State in Africa*, p. 57.
122. Cf. Harbeson, "Civil Society and the Study of African Politics", p. 298.
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124. Cf. Werbner, Richard, "The reach of the postcolonial state: development, empowerment/disempowerment and technocracy", in Cheater, *Anthropology of Power*, pp. 57-72.; Tandon, Yash, "Poverty, processes of impoverishment and empowerment: a review of current thinking and action", in N. Singh and V. Titu (eds.), *Empowerment: Towards Sustainable Development* (Halifax/London: Fernwood/Zed Books 1995), pp. 29-36.; Korten, David C., *Getting to the 21st Century: Voluntary Action and the Global Agenda* (West (ed.), *Civil Society and the Aid Industry* (London: Earthscan 1998), pp. 134-167.
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125. Werbner, "Reach of the postcolonial state", p. 59.

126. Moore, "Development Discourse as Hegemony", p. 7.

127. Sachs, Wolfgang, "Introduction", in Sachs, *Development Dictionary*, p. 1.

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# Challenging global capitalism: anti-globalisation organisation as a fourth generation people's movement (Part II)

by Dawid Venter\* and Ignatius Swart\*\*

## Anti-globalisation organisation and the fourth generation development concept

*Significance of the fourth generation development concept*

As indicated in part I of this paper, we take development theorist David Korten's concept of fourth generation development activity and organisation as a basic working model with which to understand and evaluate the anti-globalisation movement. This concept falls within a scheme of four historical phases of NGO development activity that pertinently discriminates against strategic orientations that confine themselves to local and national settings, as we point out in more detail later.

We draw on Korten for three reasons. In the first instance, his concept allows for a connection to be made between the movement and development studies. More specifically, with this concept we draw on a strategic development discourse that is found not only in Korten's work but in the wider corpus of NGO literature.

We hold that a linkage between strategic development discourses and the anti-globalisation movement can be established in more general and specific terms. In a general sense, most organisations that make up the movement are opposed to particular institutions (IFIs, trade agreements). In their opinion, these institutions have profound effects on development in the Third World. In a more specific sense, particular organisations within the movement explicitly present themselves as development organisations. As organisations that in one way or another exhibit a global understanding of development, and attempt through their activities to achieve a global reach, they conform to the strategic imperative inherent to the fourth generation concept.

The second reason for using Korten's concept is the way in which it is informed and guided by a specific theoretical, ideological and political *vision* (see Thomas 2000: 782-783) of development. Korten's concept of fourth generation development strategies dovetails with a larger theoretical corpus on people-centred development, alternative development, and NGOs and development in which a "development against

capitalism" view (Thomas 2000: 779-780) is expressed that clearly anticipates the anti-globalisation movement's own inclination. Basic to this view are a severe disapproval of global (liberal) capitalism and a growth-centred notion of development (Roodt 2001: 475), a bias towards local or autonomous development based on the principles of justice, sustainability and inclusiveness (cf. Thomas 2000: 783), and an emphasis on participatory democracy (cf. Roodt 2001: 474-475) and a value politics which manifest itself in the practices of contemporary grassroots (see Sheth 1987) and global people's movements.

A third reason for utilising the fourth generation concept is that it goes beyond a discourse on development and overlaps with a wider social scientific corpus focusing on the new social movements, a (global) civil society and a global transformative politics (see Swart 2000: 171-184). First of all, Korten's own theorisation demonstrates that the concept goes beyond his own perspective on "development as a movement" (Korten 1990:127). The dominating metaphor is rather that of a global people's movement for transformation, made up by the various new social or people's movements and their supporting organisations. Development here is integrated with other pressing issues, values and concerns that drive the contemporary movements (Swart 2000: 145).

Consequently, the main issue becomes how individuals and development NGOs ought to transform and reorientate to take on a movement dynamic themselves and mobilise towards a global people's movement for transformation. Here the relevance for an anti-globalisation movement theory and practice should be clear again. In Korten's most recent work the dominant issue is how this movement can challenge and transform a global capitalist world ruled by transnational corporations (Korten 1995). Clearly, Korten and others prioritise and theorise about the role of the new social movements

\*Lecturer in the Dept. of Anthropology & Sociology at the University of the Western Cape, South Africa.

\*\*Post-doctoral fellow, School of Religion and Culture, University of Durban-Westville, South Africa.

as part of a global civil society that opens up new democratic spaces and achieves an alternative system of global governance. The objective is nothing short of a world order based on sustainable communities (see Swart 2000: 178-184). Anti-globalisation organisations that are not so much interested in a development discourse, but rather a political discourse of global economic and structural transformation (i.e. in changing the current global capitalist system) fit the profile here.

### *A perspective on strategy, organisation and agents of transformation*

#### **A discriminatory strategic perspective**

Korten's concept of fourth generation development strategies could best be described as a discriminatory strategic perspective. Korten perceives an evolutionary pattern of four historical phases in NGO thinking, programming and growth (see Smillie 1995: 31). First generation strategies entail *relief and welfare* work, second generation strategies comprise *local community and project involvement*, third generation strategies promote *sustainable systems development*, and fourth generation strategies facilitate *people's movements* (Korten 1990: 114-128). In this schema, third and fourth generation strategies could be taken as a cluster vis-à-vis the first two generations. Third and fourth generation strategies could be seen as much more effective strategies, and a standard question which NGOs ought to ask themselves is how they can move from first and second to third and fourth generation strategies (Swart and Venter 2001: 487). Korten intended his classification to indicate both a chronological time-line, and a standard by which NGO effectiveness can be judged (Swart and Venter 2001: 487).

Korten's conceptualisation has been strongly criticised for being too idealistic, one-sided, and linear. Critics who negatively assess the actual impact of NGOs on political reform imply that Korten's identification of third and fourth generation development strategies is out of touch with reality (see Edwards and Hulme 1995: 6-7). They also explicitly criticise his schema for excluding a multiple approach to development and to forms of intervention (e.g. welfare and

service provision) that may meet vital needs in particular contexts (Biggs and Neame 1995: 35; Edwards and Hulme 1995a: 225).

Yet, Korten's schema does comply with the emphasis by other critical development theorists that development NGOs need to scale-up and mainstream their activities. In order to be effective agents of change, this position challenges NGOs to undergo a necessary organisational transformation that will enable them to apply their small-scale solutions on a large scale and become part of the official policy processes in order to converse their 'alternative' solutions and programmes into the general and official policy framework (see Wils 1995: 53). As argued by Tim Brodhead, the implication here is an unavoidable tension with earlier, traditional modes of NGO involvement:

Just as the earlier shift in NGO attitudes and behavior created tension and conflict, so too will the present one. Although NGOs have in the past proven to be adaptable, this is at times less the response of an individual agency confronted by the imperatives of change, than the result of new organizations created which embody a new perception or identify a gap which existing bodies are not filling. (Brodhead 1987: 4)

Korten's schema clearly not only represents a controversial typology in the NGO development debate, but also a challenging and workable one (see Smillie 1995: 31).

For Korten the fourth generation orientation poses the ultimate challenge to development NGOs. Third generation strategies can be appreciated for reaching beyond the individual community in seeking to change specific policies and institutions at local, national and even global levels. In this way "just, sustainable and inclusive development outcomes" can be achieved (Korten 1990: 120, 123; cf. Brodhead 1987: 4). Yet, third generation strategies parallel at the macro-level the deficiency that second generation strategies display at a more micro and community levels. Third generation strategies involve "an essential, but tedious process that must be replicated hundreds of thousands, even millions, of times to achieve the needed transformation of the institutions of global society". Moreover, each individual step towards transforming a policy or institution is subject to

reversal by those larger forces dominating the national and international political and institutional environment (Korten 1990: 123). Fourth generation strategies conspicuously aspire to meet this deficiency.

Fourth generation strategies deliberately reach beyond the limited political space of the nation state towards a global civil society (Swart and Venter 2001: 489-490). For Ronnie Lipschutz (1992: 390-391), this new reality designates the emergence of an arrangement of political interaction parallel to state-centred politics. Anarchy or self-help is not the central organising principles, but “self-conscious constructions of networks of knowledge and action, by decentred, local actors, that cross the reified boundaries of space as though they were not there”. Made up of “many heteronomous transnational political networks”, the significance of this global civil society is, firstly, the challenge that it poses to the nation-state system, “from below”. Secondly, it manifests “an ongoing project of civil society to reconstruct, re-imagine, or re-map world politics”. “As this project proceeds, civil society becomes global and so a political force to be reckoned with in a way that has not been the case since the medieval period.” (Lipschutz 1992: 391)

The same perspective on a global civil society is articulated by Korten and a number of his colleagues. The reality of a global civil society means that the concept of “nation building” has become “outdated and incomplete as it is conceived largely as a state project” (Riker 1995: 197). Through the activities of networking, coalition- and relationship-building an independent global civil society space is shaped (Korten and Quizon 1995: 160). Then it becomes possible for civil society actors - such as NGOs, social movements and people’s organisations - to shift to the centre of the development and political discourse (Riker 1995: 198). Noeleen Heyzer (1995: 12) argues that as a strategy of new alliances across national boundaries and around common issues, global civil society comes to serve as a protective space for such actors in their confrontations with governments and states. But it also enables them to present an efficient counter to mainstream, government-dominated development policy, supported by major inter-

national donor institutions such as the World Bank (Heyzer 1995: 12, Bhatt 1995: 86-87; Riker 1995: 199). It constitutes the domain in which NGOs can participate in international inter-governmental forums (e.g. the United Nations) and through which they can “lobby, embarrass or dialogue with governments on an equal footing” (Heyzer 1995: 12).

In Korten’s own analysis, however, the emphasis falls more explicitly on *people’s movements* (or, the *new social movements*). For this reason he also criticises his colleagues for placing too much emphasis on NGOs/voluntary organisations at the cost of these movement actors (see Korten 1995a: 187-188). Korten argues that the theory of action that informs the fourth generation strategy points to *an inadequate mobilising vision* as the root cause for contemporary development failure. “It calls for imbuing the public consciousness with an alternative vision adequate to mobilize voluntary action on a national scale or global scale.” (Korten 1990: 127) According to Korten, the new people’s or social movements are today meeting this challenge. The strategic emphasis should therefore fall on such movements, and not so much on other civil society actors such as NGOs - whose main purpose now becomes to act as support agents of the new social movements (Korten 1990: 127).

Put differently, Korten thus presents us with what Martin Shaw (1994: 651) calls a “social movement approach” in civil society/global civil society theory. Hence, social movements are seen as “uniquely important social phenomena”, as “especially significant forms through which society outside the state is represented in the global and international arenas” (Shaw 1994: 648; cf. Henderson 1993; Falk 1987).

The discussion so far can be summarised as follows: firstly, for Korten the new social movements represent a ‘politics of ideas’ and a ‘politics of connections’ in the strongest sense of the word (see Swart and Venter 2001: 493; Swart 1997: 14-15; cf. Walker 1994: 699-700). They embody the capacity of civil society “to rapidly and flexibly network diverse and dispersed individuals and organizations that are motivated by voluntary commitments” (Korten 1995: 297). Their power to drive social change is concretely manifested in the successes of movements in the

fields of environment, human rights, women, peace and population to reshape thought and action over recent decades. They are the primary mobilising force of a global civil society:

Social movements have a special quality. They are driven not by budgets or organizational structures, but rather by ideas, by a vision for a better world. They move on social energy more than on money. The vision mobilizes independent action by countless individuals and organizations across national boundaries, all supporting a shared ideal. Participants in successful movements collaborate in continuously shifting networks and coalitions. They may quarrel over ideological issues and tactics. But where they have been successful, their efforts have generated a reinforcing synergy. (Korten 1990: 124)

Secondly, for Korten (1990: 124) the social movement approach is particularly relevant to the field of development. In development thinking the power of people's movements has largely been neglected, despite their successes. Positively put, their successes challenge development-specific actors (such as NGOs) to build "alliances with other people's movements that deal with related elements of the global crisis" (Korten 1990: 128; italics added). While this does not ask such actors to lose their specific *development* angle, they should be able to recognise the considerable overlapping with the new issue-based social movements. These movements constitute the most important allies of a fourth generation people-centred development agenda. The various issues around which these movements are mobilised, all comprise *aspects* of people-centred development and secure its sustainability (Swart 2000: 146).

Clearly the need for development actors to tap the "reinforcing synergy" generated in the sphere of the new social movements is central to the fourth generation orientation. As Korten (1990: 125) defines the benign character of this sphere, it constitutes the "dynamic network of dedicated volunteers" that offers "mutual inspiration, political support, and exchange of experience and technology". It constitutes a sphere of "free space" through which actors of development may participate, find numerous allies to their cause and achieve people-centred development on a global scale.

Thirdly, for Korten (1995: 301) global citizen or social movement *networking* constitutes a crucial part of the process of creating "a new globalized human consciousness" for transformation. Thus, beyond the existing successes of the new social movements, the expansion and intensification of civil society networking, coalition building, and conscientisation activities remain an ongoing challenge. Although Korten does not present a worked out theory of communication and transformation to the same degree as others, he does also proceed from what a growing group of civil society theorists refers to as the new *communication perspective* (see Swart 2000: 155-156, 194-195).

The very nature of the new social movements as idea- and value-centred actors, and the imperative of networking and coalition building, suggest that the *emancipatory potential of the new information and communication technology needs to be recognised*. It offers opportunities for countering global capitalist forces in ways not possible in previous systems (cf. e.g. Castells 1997: 2; Williams in Dawson and Bellamy Foster 1996: 55; Waterman 1996: 50-51; Alvarez and Calas 1996: 34-36, 41-42; Welling Hall 1994: 119-121). Consequently, the new social movements and civil society should *essentially* mobilise through applying this technology.

The focus is on the communication of ideas and information through the mass media, newsletters, recorded media, school curricula, major media events, study groups and social networks of all types to energize voluntary action by people both within and outside their formal organizations in support of social transformation. (Korten 1990: 127)

[Citizen networks'] use of the same electronic communications technologies - phone, fax, and computer - that corporations have used to extend their global reach allows them to move quickly and flexibly in joint actions at local, national and global levels. (Korten 1995: 297)

#### **Organisational differentiation: voluntary organisations, people's organisations and a global people's movement**

According to NGO expert Ian Smillie (1995: 31), "Korten's fourth generation is less a 'strategy' than an approach to the concept of *organi-*

zation” (italics added). Smillie (1995: 31-32) goes on to identify two elements that define this organisational concept: the new social or people’s development movements that we have already discussed at some length above, and the principle of voluntarism. As suggested by his further discussion, it is this identification and prioritisation that leads Korten to make the following fourfold categorisation of NGO types:

*voluntary organizations* that pursue a social mission driven by a commitment to shared values;

*public service contractors* that function as market-oriented non-profit businesses serving public purposes;

*people’s organizations* that represent their members’ interests, have member-accountable leadership and are substantially self-reliant;

*governmental NGOs* (GONGOs) that are creations of government and serve as instruments of public policy. (Smillie 1995: 32; see Korten 1990: 2)

It follows that Korten comes to favour voluntary organisations (VOs) and people’s organisations (POs) as NGO types of fourth generation orientation. In terms of Ulf Hjelmars’ (1996: 177) definition, they are what can be called “a mixture of organization and social movement”, have a “movement identity” and use social movement strategies.

As respectively valued by Korten:

VOs take a special place as they are by definition not driven by expectation of political or economic reward (as is the case with the government and business sectors and the NGOs associated with them), but by “a social commitment” (Korten 1995a: 186). Consequently, VOs orientated towards the fourth generation fulfill a crucial task as *service organisations* to the social movements they support. Their task is to generate self-managing networks that will stimulate action beyond their own range of vision and control. They achieve this “primarily through the power of ideas, values and communication links” (Korten 1990: 127). Supporting an escalating dynamic, they serve as important mechanisms of *democratisation* through which people define and voice interests, meet local needs and make demands on government. But they also fulfill important educational roles through which “they provide training grounds

for democratic citizenship, develop the political skills of their members, recruit new political leaders, stimulate political participation, and educate the broader public on a wide variety of public issues” (Korten 1990: 99).

POs, however, represent the fourth and most important of all the institutional sectors in the fourth generation mode (Korten 1995a: 187). Where the other three NGO types mentioned above can be defined as *third-party* organisations in which action and thought are initiated by actors from outside, POs, by contrast, represent *the most basic principle of social movement theory*. They are by nature *first-party* organisations that embody people’s direct and radical participation in events. They are the potential and actual manifestation of fourth generation development (Swart 2000: 150). They “are membership organizations that exist to serve their members, have membership accountable leaders, and are largely self-reliant in their generation of resources” (Korten 1995a: 187; see also 1990: 100).

In Korten’s definition, then, a logical *tension* is sustained between the concepts NGOs and VOs, on the one hand, and POs, on the other. In the ideal setting of fourth generation development, NGOs/VOs would not only be committed to create new POs. They would also convert the first two sectors of government and business into POs, and let themselves be transformed into POs. This transition spells out the necessary progression towards authentic people-centred development that truly transfers power into the hands of people (Korten 1990: 101). In terms of Korten’s conclusive profile, POs are the authentic instruments for redistributing power in society. They strengthen the economic and political power of the marginalised. They are training grounds for democratic citizenship and expressions of grassroots concerns that provide the collective bargaining power to enable landless people, small farmers and urban squatters to negotiate on more equal terms with the political and economic powerful (Korten 1990: 101-102).

Thus, to rephrase Hjelmars (1996: 172), it can be said that Korten presents a social movement approach that does *not* “see movement organization as diametrically opposed to social movements”. He recognises “the ability of movement organizations effectively to influence public



opinion and decision-making in cases essential of social movements". Yet, for Korten the "global responsibility" (Shaw 1992: 431) of these organisations becomes the ultimate yardstick. They ought to give formation to and become participants of a *global people's movement*, the decisive agent in Korten's vision of global change:

Since the forces that have captured the land and the sky are global in their scope, our vision must be global as well as local. Obviously this is beyond the capacity of any individual NGO. As individual people and organizations we must work to meld ourselves into a global force through the formation of coalitions and alliances that ultimately meld millions of people into a global movement for change. Those of us who have defined our roles in terms of projects and the internal management of individual organizations will need to expand our perspective and become adept at new modes of working. (Korten 1995a: 188)

As the above quote clearly illustrates, Korten argues that the objective of global change can only be achieved through the formation of *alliances across people's movements and their associated organisations* (see Korten 1990: 200). A global people's movement represents the ultimate driving force to carry forward the dynamics of a social movement approach to development. It embodies the ultimate integrating and synthesising force through which the various organisations and movements in the fourth generation can present their overlapping interests as a people-centred development agenda *in the singular* (Swart 2000: 154-155).

We may point out, in conclusion, how Korten sees evidence of such a movement in the making particularly in the countless *global forums* in the last decade, where "people from every corner of the world" have met "to share their experiences with an errant global system and build a cooperative agenda".

A good case in point is the United Nations Conference on Environment and Development (UNCED), or Earth Summit, held in Rio de Janeiro in June 1992. Korten labels the occasion as "a defining moment in the global citizen dialogue" at which the people's movement more explicitly revealed itself as the counterpoint.

"While the official meetings were going on in the grand and heavily guarded Rio Ventro convention center, some 18,000 private citizens of every race, religion, social class, and nationality gathered in tents on a steamy stretch of beachfront on the other side of town for the NGO Global Forum to draft citizen treaties setting agendas for cooperative voluntary action." (Korten 1995: 301-302) This event paved the way for a consensus document that became known as "The People's Earth Declaration: A Proactive Agenda for the Future".

A second good case is provided by the UN's 1994 International Conference on Population and Development in Cairo. Here, particularly through key organizations in the women's movement (such as Development Alternatives for Women in a New Era [DAWN] and Women's Environment and Development Organization [WEDO]), the people's movement demonstrated its growing familiarity with and skill in dealing with official UN processes. "Working with and through national governments and the UN secretariat, women's groups set the basic frame of the official conference document." (Korten 1995: 302)

## Alternatives to global capitalism: a quest for project identities

### *Resistance and project identities*

In our endeavour to understand the anti-globalisation movement we are interested in the extent to which participating actors offer *alternatives* to global capitalism. As in the critique against post-development discourse, we hold that this question remains paramount in our evaluation of anti-globalisation organisations and movements - whose identity is first and foremost determined by their reaction *against* global capitalism. To echo Jan Nederveen Pieterse (2000: 188; 1998: 366) on post-development discourse, our problem is likewise not the critiques, with which one can easily enough sympathise. However, our question is also what alternatives are offered, what positive programme, what *construction* beyond the critique.

Should the anti-globalisation movement, generally speaking, not be criticised for presenting a

single, narrow and conventional view of capitalism and globalisation? As Nederveen Pieterse (1997: 380) elsewhere argues:

A shortcoming in most debates is that they do not sufficiently address the *diversity* within contemporary capitalism, the variety of capitalisms, in view of diverse historical itineraries, geographical locations and cultural antecedents... The more constructive engagements with the futures of capitalism... hinge on some form of global regulation.

It is at this point of the discussion that we would like to introduce Manuel Castells' notions of *resistance* and *project identities* to distinguish between reactive and proactive social movements in the contemporary context of global capitalist society.

*Resistance identities* could be regarded as the most important type of identity-building in contemporary society, according to Castells (1997: 9). Social movements captured by this identity can be described as *reactive* movements that - under the combined assault of techno-economic forces and transformative social movements - build communities of resistance on behalf of God, nation, ethnicity, family and locality (Castells 1997: 2). They construct "forms of resistance against otherwise unbearable oppression, usually on the basis of identities that were, apparently, clearly defined by history, geography, or biology" (Castells 1997: 9). In all, "they barely communicate", and certainly not "with the state, except to struggle and negotiate on behalf of their specific interests/values". But also, "(t)hey rarely communicate with each other because they are built around sharply distinct principles, defining what is "in" and "out" (Castells 1997: 356).

*Project identities* are distinct from, but not unrelated to, resistance identities. For such *proactive* movements, "the building of identity is a project of a different life, perhaps on the basis of an oppressed identity, but expanding toward the transformation of society as the prolongation of this project of identity, as in the... example of a post-patriarchal society, liberating women, men, and children, through the realization of women's identity" (Castells 1997: 10). Thus, these movements do not merely resist the new global order (cf. Castells 1997: chap. 2). As

the environmental movement well illustrates, they display "an ambiguous, deep connection with science and technology". While criticising the domination of life by science, ecologists also "use science to oppose science on behalf of life. The advocated principle is not the negation of knowledge, but superior knowledge: the wisdom of a holistic vision, able to reach beyond piecemeal approaches and short-sighted strategies geared towards the satisfaction of basic instincts." (Castells 1997: 123).

Of particular importance for us, then, is that Castells' evaluation of both types of social movements presents a counterpoint to our question on constructive alternatives to global capitalism. He argues that from an analytic perspective, there is no such thing as "bad" and "good", progressive and regressive, social movements. "They are all *symptoms* of our societies, and all impact social structures, with variable intensities and outcomes that must be established by research." While we may have a disregard for the violent and fundamentalist nature of certain social movements, they remain "*meaningful signs* of new social conflicts, and embryos of social resistance and, in some cases, social change" (Castells 1997: 70; italics added).

Thus, Castells implies that to judge anti-globalisation organisations and movements on whether or not they propose alternatives is misplaced. To confine these organisations within the notion of resistance identities because they appear not to offer constructive alternatives, would not diminish their significance as actors in the social movement landscape. As Castells claims, in today's global capitalist society, resistance identities seem rather to be the source of new project identities. Project identities no longer seem to emerge from identities of the industrial era's civil society, which is disintegrating, as socialism did on the basis of the labour movement. Castells (1997: 11-12, 357) elaborates:

Thus, social movements emerging from communal resistance to globalization, capitalist restructuring, organizational networking, uncontrolled informationalism, and patriarchalism - that is, for the time being, ecologists, feminists, religious fundamentalists, nationalists, and localists - are the potential subjects of the Information Age. (Castells 1997: 361)

This analysis implies we should consider the potential that anti-globalisation actors may collectively become a very meaningful, forceful project identity in contemporary society. Yet, and this is for us a decisive point, Castells, like us, concedes that “the emergence of *project identities*” ultimately becomes the key issue in the search for social change. That is, project identities are “potentially able to reconstruct a new civil society of sorts, and, eventually, a new state” (Castells 1997: 356). Clearly, for Castells, too, the most important issue is *how and whether the resistance identities of particular reactive social movements can be transformed into proactive project identities*. While many of today’s resistance identities provide the seed-beds, the realisation of a new civil society ultimately depends on the construction of strong project identities.

And so we remain biased towards project identities as social movement actors that are more proactively posing a comprehensive *transformative* challenge to the current neo-liberal dominated global capitalist order. Indeed, it is also in the fourth generation perspectives by Korten and other writers that we recognise an elaborate claim to such an identity and role. Many social movements *are* project identities and innovative actors. As futurist scholar Hazel Henderson (1993: 323, 327) maintains, there are certainly many citizen organisations and movements who “can be destructive and retrogressive, or led by demagogues”. But many “are often a priceless social resource offering new paradigms to society stuck in old ways or trapped, as Western industrial societies are, in wasteful consumption and production habits and obsolete technologies that are proving unsustainable”.

The point here is that proactive social movements and their associated organisations should not only be appreciated for their role as “symbol mobilizers” of alternative values and culture (see Castells 1997: 361). They are also valued for being, potentially and actually, significant sources of alternative economic and technological models and practices in the first place (see e.g. Ekins 1992: chap. 5-7; Henderson 1993: 326-331; Trainer 1995: chap. 17). And, they are valued as political actors that are central to the challenge of creating a new and alternative

system of global governance (see e.g. Coate, Alger and Lipschutz 1996; Falk 1987; 1994; Henderson 1993: 331-333; Korten 1995: chap. 23-24). At stake is not whether social movements are creative and concrete innovators, but mainstream forces’ *discrimination* against them:

Social innovations pioneered by citizens’ movements are usually resisted by the dominant culture and media as ‘impractical’, or frivolously portrayed, unlike those innovations in technology, production and marketing in the private sector which are usually hailed as progress. This contrast is stark but understandable, since private sector innovations arise in businesses for competitive and profit motives highly approved in all Western cultures. Such business sector innovation is routinely ‘hyped’ in advertising and marketing and also supported by government subsidies (including contracting of weapons research and procurement of high-tech corporations) and by grants to universities, research laboratories and think tanks. (Henderson 1993: 326-327)

### *An Ecological Revolution as grand alternative*

Korten’s notion of an *ecological revolution* in the making represents a *grand* and *synthesising* alternative to the current social order, and perhaps offers the best summary of the claims made on behalf of project identities and the fourth generation perspective (see Korten 1995: chap. 21 and 24). As Henderson (1993: 325) confirms, “(a)t all levels, from local to global, citizens’ organizations arise around the *social and environmental costs* of existing policies and industrial technologies”. Korten (1995: 271), at this point, again goes further by understanding the “formative ideas of the Ecological Revolution” as the *collective* product of social movements and scholars:

They are articulated in countless consensus documents and declarations of citizen movements and they find theoretical grounding in the intellectual treatises of scholars from a diverse variety of academic disciplines - including history, sociology, ecology, economics, biology, physics, general systems theory, and ecological economics.

Korten advances elaborate critiques of the economic growth paradigm of development (see Roodt 2001: 475), which he sees as culminating in “economic globalisation” (see Korten 1995: 12-13). These negative appraisals are expressed in his theories of “people-centred development” (Korten 1995a; 1990; 1984) and “of sustainable societies” (Korten 1995: 6). For Korten the economic growth paradigm is responsible for a “threefold crisis” in contemporary society: of ongoing and escalating poverty, environmental destruction and communal violence/social disintegration (see Korten 1995: 18-23, 261-262; 1995a: 165-167; 1990: 13-16).

In essence, the economic growth paradigm promotes a *functionalist* approach to planning and economic organisation that shows *little loyalty to either place or people*. The emphasis is on economies of unlimited scale that transcend national/local interests, are primarily profit-oriented, and find their ultimate expression in the *transnational corporation* (Korten 1995: 9-13, 249-257; 1995a: 170-171; 1984: 306; Korten and Carner 1984: 208).

In contrast to such a functionalist approach, Korten argues that the Ecological Revolution is to be built on a *territorial approach* to planning and economic organisation (see Korten 1984: 306-308; Korten and Carner 1984: 208-209). Korten draws here on a tradition of thinking that alternative development theorist John Friedmann terms “agropolitan development” (see Friedmann 1996; 1984). It also finds expression in the work of various alternative economist and development writers (see e.g. Hettne 1995: 56-73; Kothari 1995: 128-131; Trainer 1995: chap. 7; Schumacher 1993: chap. 13; Korten and Carner 1984; Morris 1984; Omo-Fadaka 1975). Like these writers, Korten (1984: 307) argues for a development model based on the *logic of local self-reliance*, that is, “the logic of place, people, and resources bound into locally, self-sustaining human ecological systems”. He substantiates his argument by a rich compilation of concrete alternative policy proposals.

The structural alternative, according to Korten, is “a global system of interlinked diversified local economies that are largely economically and ecologically self-reliant in meeting their own basic needs but also function as ele-

ments of a larger whole” (Korten 1995a: 180). Differently put, it will be “a market economy, composed primarily, though not exclusively, of family enterprises, small-scale co-ops, worker-owned firms, and neighborhood and municipal corporations” (Korten 1995: 213).

This alternative is elsewhere defined by Korten as an *equity-led sustainable growth strategy* of development (see Korten 1990: 72-82), but the essential logic is the same: a “choice of priorities for the sequencing of development interventions” (Korten 1990: 81). The aim here is to radically *revert the sequence* followed in conventional export-oriented growth strategies. It implies that domestic markets are to be created, not by foreign demand for the products of low-cost labour, but by increasing agricultural productivity and industrial diversification in decentralised locations with an emphasis on labour-using and capital-saving technologies (Korten 1990: 76; Friedmann 1984: 217; cf. Kothari 1995: 125-131). The emphasis is thus on a broadly based integrative approach to development, in which various stages of rural development are prioritised. Urban industrialisation and export promotion only represent the *last* stages in the development process, due to substantial increases in rural productivity, incomes, and industry (Korten 1990: 72-82).

In accordance with the discriminatory strategic perspective, Korten maintains that the above development model ultimately depends on a *global institutional transformation*. He says that he is “among those who seek to transform the global to empower the local” (Korten 1995: 6). A crucial aspect in this strategy is the removal of global corporations from the political sphere, to cut them down to human scale (Korten 1995: 309, 317). The agenda set by Korten, of global restructuring and alternative policy legislation, compares well with other radical academic writings (see Henderson 1993: 331-332; Amin 1995; Giddens and Hutton 2001). Similar notions emerge in various academic projects (such as the World Order Models Project; see e.g. Falk 1994) and campaign documents (such as the “Fifty Years Is Enough Campaign” - see Korten 1995: 310; Amin 1995). Like these writings and documents, Korten makes very *concrete* proposals about alternative global financial reg-

ulation, international debt reduction, and alternative economic governance. A transformation of the Bretton Woods institutions in favour of a new United Nations system is especially high on the agenda (see Korten 1995: chap. 23 and 24).

### **Anti-globalisation as a fourth generation people's movement: provisional conclusions**

In the concluding section we demonstrate how Korten's concepts of fourth generation strategies, voluntary and people's organisations as well as Castells' notions of resistance and project identities could be used to evaluate the anti-globalisation movement.

1. The magnitude and phenomenal growth of the movement over recent years suggest that it is an important manifestation of a counterpoint to the contemporary global capitalist society. Indeed, among the contemporary social movements it represents one of the strongest expressions of discontent against globalisation and capitalism. Some commentators imply that more than demonstrating the extent to which transnational linkages have been established within the movement, events like Seattle actually represent "a watershed towards the creation of a global citizen-based and citizen-driven democratic order" (Shiva 1999). Albert (n.d.) claims that the global perspective that underpins the anti-globalisation movement calls for "a growing solidarity even across countries and whole continents".

On closer inspection the idea of locality itself has been redefined by the actions of the anti-globalisation movement. Local translates into political autonomy, but not into a single geographic location. The ease with which protesters from London can demonstrate their opposition in Prague, or those from Johannesburg in Washington, points to an emergence of self-consciously *global* citizens. For them locality is anywhere and everywhere, and their loyalty is likewise to others around the world who oppose the same system. This projection of the local over long distances is partly due to the globality represented by their opponents. To oppose the global, you have to organise globally. Put differently, participants in the movement have to

think global, act global. While IFIs and TNCs may have branches everywhere and headquarters somewhere, they have global strategies. In consequence, opposition to them assumes the same organisational form, albeit with a radically different structure. But the reconstruction of the local as the global is also partly due to the effects of globalisation itself. As Robertson (1991) implies, in a globalised world the self increasingly has to be constructed by reference to humanity as a whole.

2. Understanding of the movement remains fragmentary, however. In the social scientific research of social movements, a study of anti-globalisation organisations as a distinct movement has been rather neglected up to this point. A research agenda that must now unfold is for a study not only of the movement in isolation, but also of its interrelationship with other issue-based movements. A question is whether the movement is not giving important expression to these other movements, and indeed to the notion of a global people's movement (Korten) and a global civil society in the making.

3. The movement appears to meet Korten's strategic orientation, at least partly. Our research so far suggests that the movement constitutes a loosely connected global network that links a great diversity of organisations. The organisations do mobilise collectively and interact at times. But - in accordance with Castells' notion of resistance identities - they more often also appear not to interact and communicate with each other.

In some ways anti-globalisation organisation is both contained and yet extends beyond Korten's conceptualisation of fourth generation strategies. For example, Korten does not appear to anticipate fully the fluidity of organisation that marks the anti-globalisation movement. As we have seen in 3.2 and 4.3, mobilisation for events at Prague through the Initiative against Economic Globalization and at Seattle via Direct Action Network demonstrates a modular form of organisation with attendant informational appendages that comes into existence for that demonstration only. The preference for a networked form of organisation recalls not only Korten's concepts but also Castells' notions of resistance and project identities.

The movement seems to combine a number of sub-networks, some which are stronger (i.e. more densely linked) and others weaker. What transforms these networks into a global force, is the ability to mobilise groups from all over the world for protests in one locality (e.g. Seattle), but also for events that occur in different localities around the same issue on the same day (e.g. May Day protests). For participants victory can be achieved by combating global institutions directly or indirectly (e.g. by pressurising local institutions which support IFIs). Global Trade Watch, for example, favours “a unified international NGO campaign which can be implemented in each country with country-based coalitions holding their specific government accountable” (Global Trade Watch n.d.).

Otherwise, they are rather bound together by their focus on a common ‘enemy’, by a similar politics of ideas and worldview. But not too much should be made of commonalities. Naomi Klein, for example, denies that “there is one ideology that will reach around the world. We need to find a belief system that rejects that sort of “one-size fits all” ideology systematically.” On the other hand “we can agree that we have the right to the basic level of self-determination and democracy” (BBC 2000a). Their actual connection is not so much through shared physical location but through cyberspace. They present a particularly good illustration of a movement that uses communication and information technology to network and mobilise. Klein agreed that new technologies could be used to promote grassroots democracy. She said that without “the Internet and cell-phones”, “(p)rotests like we saw in Seattle and Prague... could not have happened in the way that they did” (BBC 2000a).

4. A special trademark of the movement appears to be the extensive diversity of its composition. Not only do left- and right-wing organisations make room for themselves under the anti-globalisation banner, but so too do those that are non-violent and those that may embrace violence as a means, or as an end. Participating organisations are also diverse in terms of categories such as class, age, and causes, as we outlined in section 4. The diverse character suggests the importance of the movement. It is able, perhaps more than any other force, to

bring various issue-based organisations and movements together to fight against common foes. Under the anti-globalisation banner these organisations lose their particularity to such an extent that an integration of different issues takes place. Environmentalists, human rights advocates, developmentalists are collectively mobilised to fight a common cause, so giving some expression to Korten’s ideal of a global people’s movement.

5. The movement favourably meets Korten’s notions of voluntary and people’s organisations as we indicated in section 5. Organisations and people within the movement seem to be driven less by professionalism than by particular issues, values and ideological convictions. They comply with Korten’s description of social movements motivated not by money or organisational structures, but by ideas and a vision for a better world. Essentially financially self-reliant, the democratic principle of people’s radical participation appears to define their nature. They are membership organisations, generally without prominent leaders that operate through the consensus politics of their members.

6. Although the movement constitutes an important sign of resistance (Castells) against capitalist oppression and inspires the idea of a global people’s movement in the making, it remains to be seen whether it will achieve success. There is no clear indication of real victory except disruptions of capitalist activities. The neo-liberal global capitalist paradigm appears as strong as ever today. Sections of the movement engage in very little - if any - constructive dialogue with the ‘enemy’. This is, for example, suggested by Cansa’s interaction with World Bank president Wolfensohn as pointed out in 4.2. Anti-globalisation organisations’ demand that capitalists must “keep out”, does not mean that they in fact do “keep out”. But others do engage, as Global Exchange’s participation in the Seattle WTO meeting demonstrates; Global Trade Watch is another example (see 3.2 and 4.4).

Yet the prolonged and frequent protest actions worldwide appear to have had some impact on the structures and rhetoric of IFIs. Evidence includes replacing the IMF’s Structural Adjustment Plans with Poverty Reduction

Strategy Papers (PRSPs). And the Enhanced Structural Adjustment Facility (ESAF) that provides loans to up to 80 countries, was renamed the Poverty Reduction and Growth Facility (PRGF) in 1999. PRSPs are supposed to be “drawn up in consultation with civil society”. But according to Martin Khor (2000) of the Third World Network, “PRGF conditions are almost identical to the old ESAF conditions”, while PRSPs “closely resemble SAPs. The names may have changed but the economics has stayed the same”. The World Bank attempted to reach out to NGOs through its Global Development Gateway, and published a report admitting the social cost of Russia’s transition to capitalism (Schiffers 2000).

But just how deep these changes run is as yet uncertain. Some argue that the movement has succeeded in slowing “the momentum for global integration - particularly in relation to trade talks”. The evidence is the lack of enthusiasm “for trying to restart a new global trade round”. The Bank and the IMF in principle “agreed to introduce debt relief for at least half of the 40 highly indebted countries.... after a highly publicised campaign by aid groups”. Both institutions provided non-governmental organisations, which were with access to meetings. “But the fundamental issue - that the voting rights in these organisations are weighted towards the rich countries, with the US enjoying a blocking majority - was not addressed.” (Schiffers 2000)

7. We now turn to the question of the extent to which the movement reveals more of a resistance or a project identity.

From one perspective the movement appears to comply most strongly with the notion of a resistance identity. The description of different anti-globalisation organisations in this paper suggests little otherwise. These organisations certainly have a clear mission and a clear enemy. They vigorously oppose global capitalism, its institutions and leaders. Some, like the Black Bloc, justify violent action to achieve their goals. Here there is more indication of reactive gestures than constructive engagement or communication with the enemy (Castells). This point of view is clearly shared by commentators such as the CSIS and other observers (see 3.3 and 4.1). SANE’s Aart de Lange’s comment on the

Cansa conference stated in 4.4 is a further good example. This does not mean that the question is not asked by certain individuals, who might play an important future role in stimulating this aspect within the movement (cf. e.g. Naomi Klein’s suggestions on the Internet and Zwelinzima Vavi of COSATU’s proposal for an alternative development strategy in 4.4). Certain initiatives have also engaged in activities of a more proactive nature, such as Jubilee 2000 and SANE, the latter searching for alternative economic models (see 4.2).

From the same perspective the movement as a whole seems somewhat distant from the growing theories on alternative economic and social models, some of which we have touched on in this paper. Its mission for now, at least, is to oppose and dismantle the institutions of global capitalism, as revealed in names of websites such as Destroy IMF, and echoed in statements by various networks and organisations (see 4.2, 4.3 and 4.4). Critics may argue that the achievement of an alternative social order will only become a real possibility when actual alternatives are offered. On the other hand, and following Castells, such a critique does not mean that the anti-globalisation movement is not to be valued as of great significance. It signifies the meaningful sign (Castells) of a global civil society’s growing discontent with an oppressive capitalist order. Resistance is indeed crucial to overturning the current order.

Yet, and following Castells, to ask whether the anti-globalisation movement exhibits resistance or project identities is to oppose a set of alternatives which are actually related. The scale of participation in the anti-globalisation movement, like the divergent foci of participating groups themselves, suggests that the movement as a whole encompasses both resistance *and* project identities simultaneously. For some groups in the movement, resistance to global capitalism and its supporting institutions clearly represents an objective in itself, whether or not an alternative can be defined. Metaphorically, the one wing of the movement has a more definite shape, opposing and offering alternatives to that which is opposed. The other side of the same movement streams out in more undefined, resisting forms. In between lie variations that are more or less articulated.

The anti-globalisation movement contradicts and extends Castells' theoretical concepts. For example, resistance identities supposedly defend God, nation, ethnicity, and locality (Castells 1997: 2). Yet, while the objective of defending the autonomy of the local appears to ring true for most participating groups, only those on the right of the movement would agree that this is done on behalf of God, nation, or ethnicity. And, while the centre would rally the nation-state against corporations, the left views the nation-state as colluding with Big Business and

Big Capital - hence the preference for flat, co-operative structures. Particular groups can be classified as exhibiting both resistance *and* project identities, demonstrating that Castells' ideas should be viewed as a continuum. Progression from a resistance identity towards a project identity, or in the opposite direction, may or may not be possible along this continuum.

The key challenge to the anti-globalisation movement now is to develop a stronger project identity.

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# Awakening leadership in NGO's and non-profits

By *Dave Yaffey\**

**T**he leaders of the world are creating more mess than ever before. They have the power to make massive changes, for the better, but their understanding of the deeper causes of the world's problems is just not sufficient to achieve this. Dave Yaffey looks at the leadership crisis, what's needed to get us out of the mess and the place of third sector leadership in the next decade.

In just the first two years of the new millennium we have witnessed numerous events which indicate that an increasingly complex set of problems are facing our world's leaders. It seems that their responses to these challenges are reactive, usually fragmented and all too often designed with self-serving political outcomes in mind. What we need more of from our leaders is solution-focused wisdom and long term, integrated approaches. Forget it – let's go without them!

If you consider how many NGO's are operating in the Palestinian territories, for example, how many different sets of objectives exist, how many interpretations of the problem there will be and how many aid agencies are tripping over each other to bring their solution, you may realise that we sometimes add to the problem while intending to solve it. The complexity of international relations in the Middle East is undoubtedly great, and this complexity calls for equally complex ways of thinking about the current problems. Politically aligned thinking is part of the problem; it's the "I'm right, so you must be wrong" thinking of many of the leaders in the situation that sustain the situation. This is just one example of how our current leadership brains are creating more mess, while the purpose of leadership is to think us towards a healthier future.

In the contexts of sustainable development, humanitarian aid and environmental protection, an understanding of what is really going on is crucial for success. What is really going on is fuelled by the core drivers of human nature and the interplay between these and the circumstances of the moment. We are now able to recognise the deepest components operating in a situation and from this to map out the consequences of a variety of interventions. These are the activities of leadership, and while the politi-

cal leaders fail to do it, the leaders of all 'third sector' organisations, have the chance to, and need to, step into the world leadership vacuum and deliver some much needed solutions through more effective organisations. The empowering of the entire NGO sector is needed, but don't look to governments for help. The changes we need will come as NGO's empower themselves with new thinking and utilise their existing resources differently. In the great scheme of things, while the governmental leaders stall in their evolutionary journey, the leadership of NGO's and not-for-profits needs to accelerate. The alternative is unthinkable.

## The rough guide to leadership

People gravitate into private companies, public institutions or into NGO's because of the personal values they hold, usually unconsciously. The structures, the purposes and rewards are very different across the three sectors and these reflect the basic values represented in the three sectors. The leadership aims and management styles are also different across the three and this is something we need to know about because some cross-fertilisation would be useful. Here's a rough guide to the sector values and the leadership focus of each:

## NGO's in the future: achieving more and more connected

You might look at the table above and see how some of the private sector values would make a positive difference in the third sector. It must be possible to improve the effectiveness of any NGO or charitable organisation and some of the improvement methods would come straight out of the corporate world, performance management for example, or continuous improvement principles. The methods are already available to everyone, what stops them being transferred across the sectors is the core values. While the purpose and people of the third sector remain stuck in a liberal and humanitarian values set, not many of the benefits of business-like thinking will enter in. The leaders of NGO's are beginning to realise, however, that the aims and values of their organisations are not threatened

\*The Global Thinking Group  
00 41 78 707 1364  
daveyaffey@freesurf.ch  
The Global Thinking Group, UK  
26a Albemarle Street  
London W1S 1RR  
00 44 845 303 0444  
info@globalthinkinggroup.com

	Typical Values	Leadership Focus
<b>Private</b>	Self-oriented, pursuit of more, sales-driven, excellence, innovation, performance, efficiency, results, achievement, personal energy, opportunity, change is normal	Reducing costs, competitive advantage, profit as the bottom line, quick decision making, power relationships, creating the future
<b>Public</b>	Service-oriented, maintenance of the system, procedures, doing the thing right, things take time, average is normal, admin, hierarchies, unquestioning	Securing the budgets, not rocking the boat, delivering adequate service, accounting for everything, steady promotion, enforcing rules, maintaining the present
<b>NGO's present</b>	Others first orientation, equality, fairness, consensus, people's feelings, diversity, humanitarian issues, avoiding conflicts, intention more important than results	Change the world purpose, finding funding, influencing the powerful, coping with diversity, agreement and consensus, changing the present and the future
<b>NGO's future</b>	Optimising resources, achieving purpose, depth understanding, learning, competence, integrated approaches to the whole, system sensitive interventions, sustainable healthy change, interdependency, effectiveness	Big picture views, systemic thinking, placing the best people in the right place, doing the right thing, connecting with other organisations, aligning purposes and resources, not either/or but 'and' logic

by private sector values and methods, but instead the effectiveness of NGO's can be enhanced by adopting the methods without the values from the private sector. Think about achieving more of your aim, not compromising the purpose or people, but doing things slightly differently and achieving more of the purpose of your organisation.

There is one core value that has to be adopted from elsewhere in order to gain these potential benefits – flexibility. An open mind is the prerequisite for these gains. Do what you've always done, and don't expect different results. The entrepreneurial spirit that drives much of private business can also be at home in your organisation. It's about time that the third sector had its share of creative, results-oriented, financially aware individuals trained in business and influencing skills. These types won't fit in everywhere, the paradox of the values difference is that you can't always cope with what you need most, but NGO leaders should be looking at ways of bringing these characteristics inside their organisations. The CEO of an educational trust in the UK once told me, "It's easier to be charitable from a business than to be business-like in a charity." I suggest that being business-like in the

NGO sector just means optimising the achievement of your goals while staying true to your principles. It's the optimisation part of this formula that we need help with, the principles we're famous for!

## WWW - the shape of things to come

The number of NGO's and not-for-profit organisations is growing. We are increasingly aware of the needs that these organisations work to meet but the matching of needs with sheer numbers of groups to help doesn't necessarily lead to success in the purposes of sustainable, worldwide health, poverty reduction, conflict resolution and the rest. There are the obvious dangers of duplication of effort, competition for grant aid, interference of methods on the ground and destructive 'rescuer' jealousies. The growth of the third sector needs to be looked at as an evolution in the ways we solve our problems but it also needs to be managed.

From a global perspective, it's not OK to just create yet another charitable organisation with a uniquely defined purpose and set of allegiances. There is an increasing need to connect some of these groups, to start aligning to common pur-

poses and optimising the use of collective resources. This is a healthy integration target; the global equivalent of the improved organisational effectiveness that we suggested is possible for internal affairs. As an organogram, the super structure of these thousands of organisations might look like a cobweb, a giant filamentous network covering the globe. At the intersections of the filaments, a node of activity, a group, a project, a mission or headquarters. To be really effective, to beat problems the size of AIDS for example, the people-oriented and group values of the third sector need to turned outwards so that boundaries of all sorts dissolve and the higher power of the human bond can be released. This is future think here but the agenda is on the table. Leaders need to think about organising on the scale that is needed, and in the ways that are best suited to the situations, to bring more success in our purposes. Again, flexibility will be an asset, the shape and modus operandi of the NGO's of the future will not remain fixed, they will need to flex and flow around the givens of complex and changing circumstances in order to achieve.

### **Connecting complexities through leadership**

The value dynamics within an organisation are not the only thing the NGO leader has to consider. There is widespread acceptance now that 'everything is connected to everything else.' This cliché represents the systemic nature of problems and solutions over time and 'systems thinking' is as much in vogue in corporate boardrooms and governments think-tanks as in university ivory towers. Thinking with the bigger picture and in complex

ways about the consequences of our actions, use of resources, our relationships with each other and the planet will become the norm in the leadership brains of the future. The focus for leaders has to shift to the fourfold bottom line of purpose, profit, people and planet. Again, the alternative is unthinkable, but there are ways to get there.

The minds of leaders have to evolve in order to fulfil the purpose of leadership, namely, solving the problems of today and preparing organisations for the problems of tomorrow. There is no end state, no final utopia where all problems are solved. Instead we are all engaged in an evolutionary journey in which the complexity of our problems increases at each turn. As we solve one set of problems the next set emerges. In order not to be overwhelmed by our problems, we need to evolve our problem solving capacities and this means the development of new ways of thinking. In today's political climate, the problems we face have very serious consequences, like war, millions of migrants, starvation, ecological devastation and continuing poverty for the majority of the world's inhabitants. These issues are misleadingly separated by our descriptions of geography, race, budget headings and grant aid rules. They are all connected at a deeper level and we are all dealing with something more fundamental than we fully understand. The value dynamics of what is really going on in the world is what future leaders need to understand if they are to support progress towards a healthier planet. Nothing less will be sufficient as the complexity and interconnectedness of all our problems and solutions grows to overwhelm us. There are ways of understanding the deeper dynamics of what's going on and ways of evolving our leadership thinking.

# Civil society's big challenge is ending impunity

by Paul Sanders\*

Though criminal trials for human rights violations can be conducted by individual countries, it can also be done through an international criminal court like was the case in Nuremberg, Tokyo, Rwanda and Yugoslavia. International courts better convey the notion that mass human rights abuses will not be tolerated by the international community.

There is no doubt that the question of impunity is of great concern in Kenya today. Yet this is not a problem that is characteristically Kenyan. History is replete with examples where violators of human rights are not apprehended, a fact that has brought to the fore the issue of criminal accountability.

Achieving criminal accountability for gross human rights violations can provide justice to the victims and deter future violations. The world is now becoming intolerant to gross human rights violations. Over the past two decades, criminal trials have been instituted against leaders suspected of gross human rights violations. Former Yugoslavia's Slobodan Milosevic, notwithstanding the questions raised, and Chad's Hussein Habre are classic examples.

The international community, on its part, has displayed solidarity in censuring tyrannical governments, to the extent of occasionally imposing economic sanctions. Truth Commissions are also becoming increasingly popular in the healing and reconciliation process following gross human rights violations. Equally significant is the role played by the civil society in the fight against impunity. Under civil society leadership, the citizens of the Philippines, Yugoslavia and Poland, for example, have engaged in peaceful mass action, successfully dethroning dictatorial regimes.

Though criminal trials for human rights violations can be conducted by individual countries, it can also be done through an international criminal court like was the case in Nuremberg, Tokyo, Rwanda and Yugoslavia. International courts better convey the notion that mass human rights abuses will not be tolerated by the international community.

The advantage of an international court is that it is more impartial and less punitive than domestic courts. Also important is the notion derived from the Nuremberg trials of Nazi war criminals that not only governments but also

individuals can be liable under international law in the case of massive human rights violations. Finally, in the event that the perpetrators of the atrocities flee the nation in which they have committed abuses, it is easier for an international court to obtain physical custody and extradition than it is for a national court.

The Nuremberg Trials were significant because they broadened the scope of international criminal law by imposing criminal sanctions for the German government's treatment of its own citizens during the dark years of the Second World War. The Allied powers won jurisdiction over Nazi war criminals on several grounds. First, an international court was able to punish crimes against humanity because the nature of the conduct essentially offended humanity itself. In this case, natural law transcended municipal law and the Allies used this argument to dismiss accusations of the victor's justice.

The trials were not without criticisms, though. Although the Nuremberg and Tokyo war-crimes trials set important precedents in international human rights law, little and often ineffective effort has been made to address the foundational problems that lead to atrocities such as genocide. Indeed, the chairman of the Kenya Human Rights Commission, Prof. Makau Mutua contends that it is doubtful that even a permanent international criminal court would deter and serve as an effective forum for the punishment of offenders given the large scale of abuses and the reluctance of individual states to punish offenders.

He further asserts that addressing large-scale human rights atrocities must remain at the national level. He concedes that an international court would lend credibility to the criminalisation of internal atrocities, but explains that the various hatred - racial, religious, and gender cannot be isolated in an international courtroom.

However, one must note that the modern-day International Criminal Tribunals of Rwanda and Yugoslavia can be seen as an improvement over Nuremberg and Tokyo in that international tribunals are no longer perceived as a prosecution of the losers by the winners, but a legitimate international exercise with its staff supplied by nations not party to the criminal activity.

\*This paper is derived from the researches at the Kenya Human Rights Commission, several human rights scholars and international human rights organisations including Amnesty International and Human Rights Watch. It previously appeared in *Chemchemi*, March 2002, The Active Non-Violence Movement in Kenya.



That notwithstanding, both the Rwandan and Yugoslavian tribunals have been subjected to some criticisms. The purpose of both the Rwandan and Yugoslavian tribunals was to end serious crimes such as genocide and to take measures against the culprits. According to Prof. Mutua, these goals are unrealistic and the UN tribunals will have little or no effect in addressing human rights violations of this magnitude. He contends that the purpose and design of these tribunals are to deflect responsibility from the western nations concerning the atrocities and to ease the conscience of the nations that were unwilling to stop genocide in Rwanda and Yugoslav even though they had the knowledge and means. He further contends that atrocities must be addressed at the national level and an international criminal tribunal may only be effective as part of a broader comprehensive solution that addresses the foundational problems that led to the genocide in the first place.

It suffices to look at the Ethiopian example for illustrative purposes. In 1991 the bloody Dergue regime of Haile Mariam Mengistu was deposed by the Ethiopian People's Revolutionary Democratic Front (EPRDF). The following year, the new government of Prime Minister Meles Zenawi established the Special Prosecutor's Office (SPO) to investigate and prosecute those responsible for the widespread human rights abuses that were perpetrated by the Dergue. Although the government used some foreign help, it mostly used its own laws and its own judicial system. The charges for atrocities were brought under the penal code enacted by Emperor Haile Selassie in 1957. Girma Wakjiri, the Special Prosecutor said "We are using our national law, national courts, prosecutors and defence lawyers for all the cases. This process is the basis for an established sequence of state accountability."

However, the trials of the top 72 ranking Dergue officials including Mengistu, (who fled to Zimbabwe) for crimes against humanity were still pending by late 1999. For the majority of those detained, it was not until 1997 that the SPO formally charged them with criminal offences. In 1997, a total of 5,198 were charged, 2,246 of which were already in detention. Many defendants, including Mengistu, were charged in

absentia. Most defendants were charged with genocide and war crimes (which is very difficult to prove as genocide means attempting to eliminate a certain group, not just the murder of large numbers of people), or in the alternative aggravated homicide with wilful injury. An Ethiopian Judiciary crisis left the court with a backlog of thousands of cases, resulting in long delays and many defendants were in pre-trial detention for six years before being brought to court.

The SPO subdivided the defendants into three categories based upon responsibility: First were the policy and decision-makers; second were the intermediaries who relayed orders, but made some decisions on their own; and the third lot were those directly involved in committing the crimes. The SPO structured the prosecutions by committee; there was no special tribunal hearing the Dergue cases and it prosecuted the perpetrators in the regions in which they committed the crimes.

Human Rights Watch raised concerns about the way the SPO was conducting the trials, citing delays, execution sentences in absentia and lack of due process. Mengistu still hides in Zimbabwe under the protection of President Mugabe; although a formal request for his extradition has been made. He is now wanted in Ethiopia for the murder of over 200,000 people.

The South African case ushered in a new way of handling human rights abuses, the Truth Commissions. By definition, Truth Commissions are bodies established to investigate past human rights violations in a given country, which may include investigations of the government, military, or opposition forces. Some truth inquiries have been extremely successful in obtaining a full and fair account of a long -silenced history of abuse and in some cases, such inquiries have had a positive effect on the societies in which the abuse has occurred. However, some have been unsuccessful and extremely limited in their quest to bring out a fair account of the past.

Contemporary human rights discourse demands that the truth commission contain the following four elements. First, it must focus on the past and not the present or future. Second, it endeavours to paint an overall picture of human rights abuse over period of time as opposed to a specific event. Third, it usually exists temporari-

ly for a pre-determined period of time and ends with a submission of a report of its findings.

Fourth, the sponsor of the commission must vest authority within it so that it is able to gain Ending Impunity: The Challenge That Faces Civil Society From page 7 late sensitive subjects, and have a greater impact with its submission. There have been many instances of NGO's conducting truth commission-like functions, without the authority of a sponsor. These endeavours have often been instrumental in providing alternative forms of documentation that have also been influential.

Usually truth commissions are established at a time of political transition with the purpose of exposing past human rights abuses and promoting national reconciliation. A truth commission is different from an ordinary legal system in that it does not necessarily lead to prosecution and conviction.

Due to its usually narrow mandate, the decision on whether to prosecute violators is normally political and thus out of the commission's sphere, even though it may recommend prosecution. The only exception was the 1983 Argentina Commission that produced a significant amount of information, which was later used to prosecute violators. In this case, "the two processes complemented each other."

The purpose of a truth commission is to establish an accurate record of past violations thus safeguarding history, and allowing society to learn from its past mistakes and avoid repetition. Many times the affected population is clear on what violations occurred and exactly who carried them out. Therefore, truth commissions are most helpful in acknowledging the truth.

Official acknowledgement of abuse is often necessary in order to begin the healing process. It can also provide a forum for victims and their families to tell their stories, which becomes part of the official record; thus obtaining a degree of societal acknowledgement. The truth commission can also open room for compensation of the victims.

An aspect unique to truth commissions unobtainable by criminal courts is a thorough analysis of the broad context in which atrocities occurred. The structure of the government, its security forces, and the cultural practices that

led to a pattern of violations can be documented and contextualised. In addition, unlike criminal tribunals, which may take years to get a conviction, a truth commission can be organised and undertaken promptly.

In the alternative, when a government is under enormous international pressure it might set up a corrupt truth commission in order to manipulate public perception by creating a more favourable view of its human rights policy. In addition, because a commission only investigates the past, a new government may not be subject to the commission's mandate, thus continuing human rights abuse unabated. For example, Idi Amin Dada in Uganda set up a commission in 1974 under international pressure, but disregarded its report and continued with abuse. In Chad, the government was accused of using the commission in order to whitewash its own abuses.

Although it is not assured, the primary intent of a truth commission is to lessen the likelihood of future human rights abuses. A truth commission can also contribute to future prosperity by making recommendations for reform based upon its findings. Only that, usually, it is not mandatory that these recommendations be implemented, but it provides the capacity for the international community and civilian population to lobby for future change.

There is debate as to whether truth commissions promote national reconciliation or whether they merely create resentment and exacerbate old wounds. The truth is that no truth commission yet has worsened a situation. Even with extremely explicit reports, the impact of truth commissions has been quite positive; increasing national reconciliation, as well as encouraging respect for human rights issues among the general population and political leaders.

Truth commissions are inherently limited by political considerations. For instance a commission's structure, sponsorship, mandate, support, the sensitivity of issues, and the impact of the final report can all be negatively influenced by political forces during its creation. There can be many challenges facing truth commissions including a weak civilian government and a strong defiant military; an uncooperative gov-

ernment only beginning to move toward democracy; ethnic populations threatening to move toward violence; or a timid population too intimidated by the government to testify about human rights abuses.

Again, the work of the commission is often closely scrutinised, and can be discredited by very powerful interested parties who have a stake in the outcome. Therefore it is important to have an organised opposition force or human rights activist coalition in order to support and encourage the commission and combat some of the limitations.

But a key weakness is normally its mandate. The terms of reference, often set up by an executive decree, define investigative powers including defining the exact abuses and individual perpetrators a commission can reach; the timeline and geographic scope of its mandate; and when and to whom the final submission will be submitted. Also terms of reference may specify exactly what kinds of recommendations can be made, as well as whether or not names of perpetrators can be included. Agreeing upon a mandate is an integral part of the entire process that may determine whether or not a truth commission will be successful.

The terms of reference must be adequately broad in order to expose the entire scope of human rights abuse. For example, the El Salvador Commission was able to investigate "serious acts of violence," left to be interpreted by the commission itself. Having such broad guidelines made for a more successful commission. On the other hand, the Uruguayan Commission was designed only to investigate disappearances. As a result, it was unable to expose instance of illegal detention and torture, which constituted the majority of abuse that occurred.

Rarely does the public have say in the terms of reference of a truth commission, though this is against the position favoured by most human rights groups. And, still, the commissioners may be forced to impose severe limitations upon themselves. This may be as a result of time constraints, limited resources, lack of access to integral information or the avoidance of certain sensitive.

In order to be successful, a commission must be formed with the aim of making it impartial.

It must operate independent of any political ambitions, and have unobstructed access to all relevant information in order to conduct an investigation as fully as it finds necessary. It must be implemented as shortly after the end of the conflict or political transition as possible, and only for a limited amount of time.

While the time period may be extended based upon prior agreements, it must never be opened otherwise resolutions may never come. Included in its mandate should be the power to make recommendations that will be given serious considerations. If possible it is favourable for the government in question to agree to mandatory implementation of the commission's findings like in the case of the El Salvador commission. The final report should be published immediately and made accessible to the public.

At this stage, the story of the fight against impunity in Uruguay is key because it is a good example of civil society taking up the challenge where politicians have failed. A long and brutal military dictatorship in Uruguay, wrought with widespread human rights abuse, came to an end in 1984 largely due to the efforts of civil society.

With the return of democracy came the return of political parties who negotiated a transition settlement with the military called the Pact of the Naval Club. It concluded that there would be no punishment of human rights violators. This point marked a shift of initiative from civil society to the political parties. It turned out that the new regime was not willing to honour the commitments made, where human rights groups accepted a generic statement to the effect that the new government would see that all previous crime committed would be investigated and judged, vetoing the legislation adopted by the National assembly. As the human rights movement grew, so too did its demand for truth and justice for all crimes against humanity.

A debate emerged as to which philosophy best suited Uruguay. The official discourse asserted that the past should be forgotten in order to pacify the nation. It also emphasised the threat of destabilisation of the new democratic institutions in order to insure that the repetition of abuse would never occur again.

Eventually the government submitted legislation based upon the pact that prosecution for

crimes committed by the military or police personnel prior to 1985 had expired. This absolved all human rights violators who committed crime throughout the dictatorship. The bill passed in both chambers.

Fortunately, the Uruguay Constitution contained a form of direct democracy whereby the signatures of 25% of the nation's registered citizens could submit a law to a popular referendum. It was decided that the Commission Nacional Pro Referendum (CNR) (which was the group intended to organise the referendum campaign) would have a broad leadership with representation from the social and political spectrum. In addition, it would be a highly organised and regulated structure, an entity "constituted, independent of any political party interests by persons representative of the various sectors of national activity, led only by their free civic conscience."

The popular reaction was fast and enthusiastic. Hundreds of committees were organised within Uruguay and abroad. The CNR designed its signature campaign to appeal to Uruguayans' sense of democratic responsibility, as opposed to bringing to justice those accused of committing

human rights violations. After a year, through arduous means of dissemination, and despite the lack of support from the mass media, the co-chairs of CNR managed to gather over 630,000 signatures, more than the 500,000 signatures required by the constitution.

The verification process administered by the electoral court was wrought with obstacles and obstructions to validating the signatures. A problem arose that the electoral court needed 36,000 people to reaffirm their decision under nearly impossible conditions. Again, against heavy pressure from the military, the CNR accomplished a major feat by mobilising thousands of people to ensure that the decisions in question were reaffirmed.

Finally, it was announced that the signatures were valid, and a referendum would occur. In campaigning for the referendum, the CNR opted for a democracy if the law did not pass. In April 1989, 57% voted to pass the law on expiry, and 42.5% voted to derogate it. Intimidation and warning of dire consequences wore out. Although the Law of Expiry passed, NGO's and civil society of Uruguay accomplished an enormous organisational feat.

## Document

# Droits économiques, sociaux et culturels

Le document qui suit est la déclaration écrite présentée conjointement par le Center Europe-Tiers monde, l'Association américaine de juristes, le Centro de Estudios Europeos, la Commission pour la défense des droits humains en Amérique centrale, la Confédération mondiale du travail, le Conseil mondial de la paix, France libertés : Fondation Danielle Mitterrand, International Educational Development, la Ligue internationale des femmes pour la paix et la liberté, la Ligue internationale pour les droits et la libération des peuples, le Mouvement contre le racisme et pour l'amitié entre les peuples, le Mouvement indien «Tupaj Amaru», l'Union des juristes arabes, ONG dotées du statut consultatif, à la Sous-commission des droits de l'homme des Nations unies le 5 juillet 2002. Cette déclaration prétend apporter un éclairage sur les activités et les méthodes de travail des sociétés transnationales. Y sont abordés la définition juridique des sociétés transnationales et le rôle des Etats, dans le contexte de l'imbrication croissante entre le pouvoir économique et le pouvoir politique et des confusions qu'elle risque de susciter entre les deux pouvoirs. Elle se conclut sur des propositions et recommandations pour responsabiliser les sociétés transnationales en matière de droits de l'homme.

### Les sociétés transnationales et les droits de l'homme

#### *Effets des activités et des méthodes de travail des sociétés transnationales sur les droits de l'homme*

##### A. Que sont les sociétés transnationales ?

1. Les sociétés transnationales sont des personnes juridiques de droit privé avec une implantation territoriale multiple mais un centre de décision unique.

2. Les sociétés transnationales sont actives dans la production et les services - pratiquement dans toutes les sphères de l'activité humaine - et également dans la spéculation financière.

3. La masse énorme de capital qu'elles concentrent leur confère un pouvoir sans précédent dans l'histoire. Le chiffre d'affaires des plus grandes sociétés transnationales est équivalent ou supérieur au PIB de nombreux pays et celui d'une demi-douzaine d'entre elles est supérieur aux PIB des 100 pays les plus pauvres réunis.

4. Elles peuvent fonctionner avec une société mère et des filiales, constituer des groupes au sein d'un même secteur d'activité, des conglomerats ou coalitions ayant des activités diverses, s'unifier par le biais de fusions ou d'absorptions ou encore constituer des ensembles financiers (holdings). Ces derniers possèdent seulement un capital financier en actions avec lequel ils contrôlent des entreprises ou groupes d'entreprises. On peut toujours identifier la nationalité de la société transnationale dans le sens où il y a un Etat qui la soutient et qui défend ses intérêts (à l'OMC, au FMI, à la Banque Mondiale et

dans d'autres organismes internationaux ou par des moyens politiques, militaires et autres).

5. L'activité réellement productive est parfois déléguée à des sous-traitants alors que la société transnationale se réserve le « know how », la marque et le « marketing ». Leurs activités embrassent différents territoires nationaux. Elles changent rapidement et fréquemment de lieu d'implantation en fonction de leur stratégie basée sur l'objectif du bénéfice maximum.

6. Le caractère transnational de leurs activités leur permet d'échapper aux lois et aux réglementations nationales et internationales qu'elles considèrent comme défavorables à leurs intérêts. Les sociétés transnationales s'adonnent aussi à des activités illicites et/ou dans une zone grise entre légalité et illégalité.

7. Les sociétés transnationales bénéficient dans toutes ces activités du soutien actif et serviable des gouvernements d'une poignée de pays riches qui représentent et partagent leurs intérêts.

B. Effets des méthodes de travail et des activités des sociétés transnationales

8. Les méthodes de travail et activités des sociétés transnationales sont déterminées par un objectif fondamental : l'obtention d'un profit maximum en un minimum de temps. Cet objectif fondamental n'admet aucun obstacle et, pour l'atteindre, les sociétés transnationales, surtout les plus grandes, n'excluent aucun moyen :

a) la promotion de guerres d'agression et de conflits interethniques pour contrôler les ressources naturelles - particulièrement les réserves énergétiques et les minerais stratégiques - de la planète et pour favoriser l'expansion et les bénéfices de l'industrie militaire ;

b) la violation des droits du travail et des droits de l'homme en général ;

c) la dégradation de l'environnement (y compris de l'atmosphère, de l'eau et des sols) et en particulier l'opposition active et financée par la Global Climate Coalition, composée entre autres de Ford, General Motors, Mobil et Union Carbide, avec l'aide du gouvernement des Etats-Unis, à toute réglementation des émissions de gaz à effet de serre (au Protocole de Kyoto par exemple);

d) la corruption de fonctionnaires pour s'emparer des services publics essentiels par le biais de privatisations frauduleuses et préjudiciables aux droits des usagers actuels et potentiels, particulièrement des moins fortunés (par exemple l'approvisionnement en eau potable);

e) l'appropriation - qu'elle soit formellement légale ou illégale - des connaissances ancestrales, techniques et scientifiques qui sont par nature sociales ;

f) la corruption des élites politiques et intellectuelles ainsi que des dirigeants de la « société civile »;

g) la monopolisation des principaux moyens de communication, transmetteurs de l'idéologie dominante et des produits culturels de masse, ce qui leur permet de manipuler et de conditionner l'opinion publique ainsi que les habitudes et comportements des gens ;

h) le financement de coups d'Etat, de dictatures et d'autres activités criminelles.

9. De telles méthodes sont en contradiction avec le respect des droits de l'homme en général, y compris le droit à l'autodétermination des peuples et le droit au développement.

C. Confusion entre pouvoir économique et pouvoir politique

10. On constate, dans les dernières décennies, un processus d'imbrication croissante entre le pouvoir économique et le pouvoir politique, qui mène à la confusion voire à la fusion des deux pouvoirs. Ce processus est en train d'éroder jusqu'aux aspects formels de la démocratie représentative et au rôle des institutions politiques, tant nationales qu'internationales, en tant que médiateurs - ou supposés médiateurs - entre intérêts différents ou contradictoires. 11. Le cas exemplaire de cette relation entre pouvoir économique et pouvoir politique est celui des Etats-

Unis, où la majorité des plus grandes sociétés transnationales du monde ont leur siège principal et où plusieurs d'entre elles sont directement représentées dans le gouvernement actuel.

12. Cette confusion entre pouvoir politique et pouvoir économique se manifeste également aux Nations Unies par le biais du « Global Compact » et dans l'Union européenne par la collaboration étroite entre la Commission européenne (qui émet des directives qui dépassent ses attributions) et de la Table Ronde des Industriels Européens (ERT), composée entre autres des sociétés transnationales Volvo, Olivetti, Siemens, Unilever.

### *Recommandations et propositions pour responsabiliser les sociétés transnationales*

13. Dans un Etat de droit, les sociétés transnationales, comme toutes les personnes, sont responsables tant civilement que pénalement en cas de violation des normes en vigueur (aussi bien des normes internationales, dont les principales sont applicables en droit interne, que des normes nationales).

14. Les codes de conduite volontaires ne peuvent se substituer aux normes édictées par les organismes étatiques nationaux et les organismes interétatiques internationaux. Les codes de conduite volontaires ne sont pas de véritables normes juridiques, obligatoires et dont le non-respect entraîne une sanction.

15. En outre, l'expérience et les études réalisées indiquent que les codes volontaires sont incomplets, que leur application est aléatoire parce qu'elle est laissée à la discrétion de l'entreprise et qu'il n'existe pas de véritable contrôle extérieur indépendant. Par exemple, une entreprise de consulting mandatée par la société transnationale elle-même, c'est-à-dire payée par elle, ne constitue pas un contrôle extérieur indépendant.

16. Il est donc nécessaire de proposer des solutions pour l'encadrement juridique des sociétés transnationales qui partent de certaines prémisses de base:

a) Les communautés nationales et la communauté internationale sont régies par des normes juridiques qui forment la base d'un Etat de droit. Il est « essentiel que les droits de l'homme soient protégés par un régime de droit...

(Préambule de la Déclaration universelle des droits de l'homme).

b) Ces normes juridiques sont obligatoires pour les personnes physiques et morales et leur violation entraîne une sanction pour celui qui les a enfreintes.

c) Les sociétés transnationales sont des personnes juridiques et, en tant que telles, sujets et objets de droit. Les normes juridiques en vigueur sont donc obligatoires pour les sociétés transnationales, comme pour toute personne physique ou morale. L'égalité de toutes les personnes devant la loi est clairement établie dans la Charte internationale des droits de l'homme (Déclaration universelle et Pactes internationaux des droits civils et politiques et des droits économiques, sociaux et culturels).

17. Dans l'application de ces normes, on doit partir du principe que les droits de l'homme sont au sommet de la pyramide normative, c'est-à-dire qu'ils ont la priorité et prévalent sur les autres droits, comme celui de la propriété intellectuelle.

18. Les normes existantes devraient être complétées sur les plans national et international :

a) En rappelant la notion de service public, particulièrement en matière de santé, d'alimentation (y compris l'eau potable), d'éducation, de logement, de communication et d'information sous toutes ses formes et supports, en prévenant et empêchant la formation d'oligopoles et de monopoles privés dans ces sphères.

b) En renforçant les mécanismes d'application des instruments spécifiques se référant aux sociétés transnationales, comme la Déclaration de Principes Tripartite sur les Entreprises Transnationales et la Politique Sociale adoptée par le Conseil d'Administration de l'OIT en 1977 (qui, dans son amendement de novembre 2000, se réfère à 30 Conventions et 35 Recommandations de l'OIT) et les Directives de l'OCDE (texte révisé en juin 2000), bien qu'elles ne fassent qu'adresser des recommandations aux entreprises.

c) En établissant des codes de conduite obligatoires pour les sociétés transnationales, comme l'ont réclamé dans la Déclaration et le Programme d'Action du Forum du Millénaire (Nations Unies, New-York, 26 mai 2000, point 2 de la Section A de la Déclaration) plus de 1000 organisations non gouvernementales de 100 pays. Ces codes de conduite devraient inclure la question du transfert de technologie.

d) Les Etats qui ne l'ont pas encore fait devraient incorporer à leur législation la responsabilité pénale des personnes juridiques.

e) Il n'existe pas de juridiction pénale internationale compétente pour juger les personnes juridiques privées. Le Statut de la Cour pénale internationale, adopté à Rome et en vigueur à partir du 1er juillet 2002, ne prévoit pas le jugement des personnes juridiques ni des délits contre les droits économiques, sociaux et culturels. Pour l'heure, il n'y a pas pour autant à écarter la possibilité d'utiliser cette Cour pour informer le procureur (les particuliers ne peuvent pas dénoncer et encore moins porter plainte devant cette Cour) des violations des droits humains commises par les sociétés transnationales afin que celui-ci décide d'inculper les responsables. Il conviendrait cependant de promouvoir la réforme du Statut de la Cour pénale internationale afin d'y inclure les délits contre les droits économiques, sociaux et culturels et la responsabilité pénale des personnes juridiques privées.

f) Pour le moment, les tribunaux nationaux sont les seuls qui peuvent recevoir des plaintes et des demandes contre les sociétés transnationales et leurs dirigeants, avec l'ampleur permise aujourd'hui par l'application croissante du principe de juridiction universelle.

g) Il y a aujourd'hui de nombreux procès en cours contre des sociétés transnationales et leurs dirigeants responsables, devant différentes juridictions nationales, pour des violations de plusieurs catégories de droits de l'homme : dommages à l'environnement, violations du droit du travail, complicité dans la persécution et l'assassinat d'activistes syndicaux, crimes contre l'humanité, etc. Parmi les entreprises en cause il y a plusieurs partenaires du « Global Compact ».

h) Finalement, on devrait étudier la possibilité de créer un tribunal international pour les sociétés transnationales, sur le modèle du Tribunal International du Droit de la Mer, établi par la Convention sur le Droit de la Mer (Montego Bay, décembre 1982).

### *Responsabilité des Etats*

19. Le droit au développement et à la jouissance progressive des droits économiques, sociaux et culturels comportent l'obligation,

pour les Etats, de faire le maximum d'efforts pour promouvoir le progrès économique, social et culturel de leurs peuples.

20. Les Etats ont, en matière de droits économiques, sociaux et culturels ainsi qu'en matière de droit au développement, non seulement des obligations envers leurs propres peuples mais aussi, en tant que membres de la communauté internationale, envers les autres Etats et l'humanité en général. Il s'agit de droits appelés « droits de la solidarité » (art. 1, al. 1 de la Charte des Nations Unies, art. 22 de la Déclaration universelle des droits de l'homme, art. 2 du Pacte international relatif aux droits économiques, sociaux et culturels, Déclaration sur le droit au développement, - particulièrement ses articles 2 à 6 -, etc).

21. Les Etats sont également responsables, quand ils ont manqué à leur devoir de vigilance, des violations (sur leur propre territoire ou

transfrontalières) commises par des particuliers (y compris les sociétés transnationales) qui se trouvent sous leur juridiction, comme l'ont établi des sentences arbitrales et de nombreuses Conventions internationales, en particulier celles relatives à la préservation de l'environnement.

22. Les Etats sont internationalement responsables de l'application des normes internationales fondamentales dans leur droit interne.

23. Pour remplir leurs obligations, les Etats ont le droit et le devoir de protéger et de garantir le droit de leurs peuples à disposer librement de leurs richesses et ressources naturelles et ils doivent faire en sorte que leurs peuples ne soient pas privés de leurs moyens de subsistance (article 1, paragraphe 2 des Pactes internationaux relatifs aux droits civils et politiques et aux droits économiques, sociaux et culturels et de la Déclaration sur le droit au développement).



## *Document*

# Involvement of civil society organizations other than NGOs and the private sector in technical cooperation activities: experiences and prospects of the United Nations system\*

**D**uring the past several years, due to the increasing role of Civil Society Organizations (CSOs) in the technical cooperation activities of the United Nations system, Member States have repeatedly called for the development of a policy framework and an appropriate mechanism at the regional and national level for collaborating with CSOs, in order to enhance their involvement and participation. Member States also came out strongly and advocated through Agenda 21 the need for new forms of participation in support of a common effort for sustainable development. In addition, other developments such as the globalization of trade, the progress of democratization and good governance, the advance of communication technologies, the request for a clear recognition of economic and social rights and entitlements, the eradication of poverty, just to mention a few topical issues, have opened the way to a more active presence of Civil Society.

The growing awareness of Member States of these new realities, compounded by the recognition of the United Nations system organizations, has brought to light the important contribution being made by CSOs in an effort by the system to build up the capacity of developing countries. This scenario underlines the emergence of Civil Society as a powerful actor on the national and international scene and highlights the need to face this factor with different approaches, proposals and solutions, based on a meaningful tripartite cooperation of governments, United Nations system organizations and CSOs.

The report focuses on this new evolution of partnership, the opportunities it offers for a forward-looking approach, the obstacles involved in the process and how to handle them. After the introduction to the report, chapter I attempts to define the notion of Civil Society and CSOs vis-à-vis the other non-State actors,

non-governmental organizations (NGOs) and the private sector, by demonstrating the specificity and capabilities of CSOs. Apart from the private sector, until recently there has been a tendency to identify CSOs with NGOs while distinct typologies are emerging within the former which deserve separate definition and consideration, hence an approach of their own. The report endeavours to clarify the existing haze between the two organizations.

In chapter II, the report concentrates on the relationship of CSOs with the United Nations system organizations at the operational level. It examines the existing ways and means for cooperation which need to be revisited and perfected in order to recognize that CSOs are not only the end beneficiaries of social and economic projects, but have become increasingly identified as partners and players along the process of design, implementation and evaluation of technical cooperation programmes as well as in implementing rehabilitation projects in post-conflict situations. If this assessment is correct—and consensus was expressed to the Inspector in his round of contacts—the United Nations needs to be better equipped conceptually and operationally, and to develop its outreach strategies to involve CSOs. It is also particularly important that the relevant legislative organs provide policy guidance and that secretariats establish directives and a flexible ad hoc framework in order to give the process an appropriate momentum.

Chapter III explores the role of CSOs in capacity-building, taking into account the tripartite nature of the cooperation (governments/United Nations system organizations/CSOs) by clarifying the role to be assumed by each party in order to promote and strengthen collaboration and further enhance the effectiveness of technical cooperation. Against this background, the following conclusions and recommendations are introduced.

\*Summary of a report prepared by Francesco Mezzalama, Joint Inspection Unit, United Nations, Geneva, February 2002.

# La contribution de l'observatoire européen des phénomènes racistes et xénophobes, à la promotion du caractère multiculturel des sociétés européennes

par Petros N. Stangos\*

1. L'Observatoire Européen des phénomènes racistes et xénophobes (EUMC), est un organe indépendant de l'Union Européenne, créé en 1997 par le règlement du Conseil no. 1035/97. Son siège est à Vienne. L'EUMC est devenu « opérationnel » à partir de 1999.

La « raison d'être » de l'EUMC, repose sur la conviction de ses « fondateurs », de son personnel et de son organe directeur que l'avenir de l'Europe se fonde sur la diversité culturelle, ethnique et religieuse. Le racisme, la xénophobie et l'antisémitisme sont autant de phénomènes qui s'opposent diamétralement à ces principes. Ils constituent de menaces, qu'il appartient à tous de combattre dans toute l'Europe. Par ailleurs, l'Union Européenne considère que l'une de ses missions est d'élaborer des mesures concrètes de lutte contre ces tendances, en définissant une stratégie globale. Telle est la mission confiée à l'EUMC, qui « observe » l'ampleur et le développement des phénomènes racistes, xénophobes et antisémites dans l'Union et soumet aux institutions communautaires et aux Etats membres des informations objectives, fiables et comparables, y compris des analyses de leurs causes, conséquences et effets, exemples de bonnes pratiques et propositions de mesures spécifiques à prendre ; ces informations sont recueillies sur la base de données fournies par un réseau d'ONG, nommé « RAXEN », qui sont en coopération avec l'EUMC, ainsi que sur la base de recherches scientifiques et empiriques, menées sous les auspices de l'Observatoire.

2. Au cours de trois premières années de son existence, L'EUMC a lancé plusieurs projets de recherche, parmi lesquels figurent ceux qui portent, par excellence, sur la reconnaissance et la promotion du caractère multiculturel des sociétés européennes.

Il en est ainsi, en premier lieu, du projet qui porte sur *le racisme et la diversité culturelle dans les médias*. Les médias sont considérés comme l'agent exerçant la plus grande influence

sur l'opinion publique. Leur attitude envers ce qu'ils observent, ignorent ou marginalisent est reconnue comme ayant une incidence décisive. Les médias peuvent prendre des initiatives en vue de promouvoir la diversité culturelle. De même qu'involontairement, ils peuvent apporter leur soutien à une opinion publique raciste, soit en devenant un forum de discussion public pour l'extrême-droite soit en prenant pour thèmes de discussion les immigrés et minorités en tant que « problèmes de société ».

Le projet lancé par l'EUMC en l'année 2000, s'est concentré sur les résultats de recherches menées sur les médias pendant la période 1995-2000. Il a été réalisé par le Centre de Recherche Européenne sur la Migration et les Relations Ethniques de l'Université d'Utrecht. Son objectif consistait à décrire le type de recherche médiatique effectué en ce qui concerne le racisme, l'antiracisme et le multiculturalisme, ainsi que leurs principaux résultats.

Pendant l'année en cours, un atelier sera fondé par l'EUMC sur la base des résultats obtenus par le projet sus-mentionné, afin de développer des stratégies de mise en oeuvre de bonnes pratiques, d'établir un dialogue interculturel entre les chercheurs, les scientifiques et les médias et de développer des stratégies de formation pour les étudiants en journalisme et médias.

D'autre part, au cours de l'année 2000, l'EUMC a commandé une étude sur les initiatives concernant la *compétence interculturelle*. L'étude a été effectuée par la Maison d'Anne Frank à Amsterdam. Elle comprend une sélection de projets et d'initiatives dans le domaine de la formation interculturelle. Elle englobe un guide de références pour les enseignants, les éducateurs et le public, permettant d'accéder aux documents et aux sites web concernés. L'inventaire comprend également une liste restreinte des centres d'expertise, des produits existants, des programmes et des principaux experts dans le domaine de l'éducation interculturelle et

\*Professeur – Chaire Jean Monnet, Faculté de droit, Université Aristote de Thessaloniki (Grèce) Vice-président du Conseil d'administration de l'Observatoire Européen des phénomènes racistes et xénophobes (Vienne)

visé à sensibiliser les enseignants et autres formateurs. A notre avis, il représente un outil précieux pour l'enseignement, la recherche, les contacts et sert à fournir une vue d'ensemble des bonnes pratiques dans les Etats membres et le reste du monde. Les différentes approches de ce sujet sont présentées en incluant des définitions divergentes de l'« éducation interculturelle », complétées par des références à des méthodes intermédiaires telles que la médiation et la gestion des conflits.

La préoccupation de l'EUMC en matière de l'éducation interculturelle se confirme à nouveau, par l'organisation, durant l'année en cours, d'une nouvelle étude scientifique comparative, qui sera conduite sur la base des données sur l'éducation collectées par le réseau RAXEN. Cette étude portera sur deux aspects principaux : le premier, est en relation avec la discrimination raciale/ethnique des individus et groupes dans l'éducation ; le second, est en relation avec la sensibilisation et la formation professionnelle dans le domaine de l'intégration, de la diversité culturelle et sociale.

Révétons, enfin, un autre projet de recherche, lancé par l'EUMC en 2001, portant sur *les communautés islamiques vivant en Europe*. Concrètement, il s'agit d'une étude analytique transnationale sur la situation des communautés islamiques dans cinq villes européennes : Arhus au Danemark, Bradford au Royaume-Uni, Mannheim en Allemagne, Rotterdam au Pays-Bas et Turin en Italie. L'étude a visé à identifier, rassembler et comparer l'approche des villes dans le domaine de la lutte contre la discrimination religieuse. Il évoque les bonnes pratiques et vise à produire des résultats contribuant à la promotion de la tolérance et de l'égalité de traitement sur la base de la religion dans des aspects clés de la vie publique tels que l'emploi, les services publics et l'éducation. L'étude a été réalisée par l'Europees Centrum voor Werk en Samenleving, de Maastricht, au Pays-Bas.

L'approche de l'étude s'est basée sur des activités de collecte des données effectuées au niveau local, donnant lieu à cinq rapports locaux de villes partenaires (en coopération avec les parties intéressées) et, au niveau transnational, débouchant sur un rapport cumulatif, comparatif et transnational, accompagné de recommandations.

Ce projet, sera suivi, en l'année 2002, par un atelier, qui sera créé par l'EUMC. L'atelier aura une large portée, puisqu'il portera non seulement sur l'approche des autorités locales vis-à-vis de la promotion de la tolérance des religions, en particulier l'islam, mais aussi sur l'observation du rôle que les autorités locales jouent, peuvent jouer et vont jouer dans l'intégration des immigrants, en garantissant la non-discrimination dans des secteurs tels que l'emploi, le logement, l'éducation et les services publics, et en soutenant la tolérance et la diversité dans leurs communautés. Pour cet atelier, la collaboration avec le Comité des Régions de l'Union permettra de développer, autour d'un projet concret, les relations avec le Comité en vue de renforcer le travail de l'EUMC avec les autorités régionales et locales. La Cellule de Prospective de la Commission Européenne sera également impliquée dans cet atelier.

3. Les activités de recherche de l'EUMC qui vient d'être décrites, centrées sur le multiculturalisme et les relations interculturelles au sein des sociétés européennes, nous les considérons comme étant susceptibles d'afficher la volonté de cette institution de contribuer à une reinvention du multiculturalisme en Europe, à la lumière de la démocratie et de ses composantes : de la liberté et de l'égalité.

En effet, en Europe, comme à l'échelle mondiale, il y a un débat pléthorique sur le multiculturalisme. On a même parfois l'impression qu'il s'agit là d'un terme particulièrement génial, dont l'invocation permet à certains d'agir beaucoup moins que d'en discuter. Il convient cependant de se demander s'il y a ou non une valeur intrinsèque que ce terme tente de mettre en évidence ; si oui, il convient de se demander comment peut-on prendre cette valeur au sérieux. Une hypothèse peut –de prime abord légitimement– être formulée : l'idée du multiculturalisme fut générée par une exigence impérative de résoudre de conflits ethno/culturels surgis au sein d'une entité étatique donnée, conçue comme étant une entité unique du point de vue culturel. Si on admet cette hypothèse, l'idée du multiculturalisme s'enfermera, d'un côté dans une conception frivole d'un « culturalisme multicolore », de l'autre côté dans un « problème politique urgent », susceptible d'être analysé comme pro-

blème de stabilité sociale et/ou d'intégrité étatique (ou nationale). Dans l'un comme dans l'autre cas, toute tentative de parler au nom du multiculturalisme sera vouée en échec.

Nous considérons que le concept du multiculturalisme sera enrichi si nous allons l'approcher non pas comme un concept « nouveau », imposé par un univers « externe », mais plutôt comme une reinvention d'une idée très ancienne. Les problèmes nés de la coexistence des cultures différentes, antagoniques, au sein des sociétés européennes, surgissent non pas parce que certains être Humains ou certaines communautés, qui pour de diverses raisons se situent dans la zone grise de la vie nationale, sociale et politique, ont décidé de se voir, en eux-mêmes, « différemment ». Les problèmes surgissent parce que, à un moment donné, nous avons pris conscience que les valeurs auxquelles nous croyons être toujours attachés, nous les appliquons, pourtant, d'une manière déficitaires. La dimension la plus critique du problème du multiculturalisme, s'identifie donc avec la reconnaissance et l'application déficitaires de la démocratie et de ses deux composantes : de la liberté et de l'égalité. Bien que les déplacements des populations « étrangères » de la périphérie au centre du globe ont joué un rôle important à notre manière de voir les « autres », bien que ces déplacements sont générés de tensions qui nous ont obligé à mieux cerner les problèmes, il est désormais essentiel d'ad-

mettre que le multiculturalisme, en tant qu'une valeur et non pas une « donnée », se dote d'un sens issu de principes que nous considérons toujours comme étant de principes suprêmes.

La reinvention du multiculturalisme à la lumière de la démocratie, des principes de la liberté et de l'égalité, n'est pas destinée à simplifier les choses. Au contraire, elle représente un cadre d'analyse extrêmement fécond. De cette analyse, nous pouvons légitimement attendre que les deux idées y seront issues enrichies. Néanmoins, on ne dispose pas de recettes faciles. La démocratie est souvent conçue par certains comme une « institution nécessaire », et ceci non pas dans le sens qu'on a de préférences pour d'autres types de régime et qu'on tolère simplement la démocratie, mais dans le sens que l'essentiel de la démocratie s'épuise dans son rôle de régulation des rapports sociaux. Cette conception de la démocratie est préjudiciable : au delà du fait qu'elle suggère une lecture erronée de la manière dont la démocratie fonctionne, elle amène à une aliénation des ressources qui sont vitales pour la communauté en question. L'idée du multiculturalisme est un espace de mise en valeur d'une conception approfondie et enrichissante de la démocratie. Si nous parvenons à reconnaître le fondement essentiel et valorisant de la démocratie, le sens de vie qu'elle donne à tout être humain, le concept du multiculturalisme sera mieux perçu et saisi.

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## ONG-SMN : Plus de 200 partenariats public-privé

L'ONU a approuvé et publié plus de 200 partenariats entre entreprises, ONG, institutions internationales et Etats, qui visent à réaliser des actions de développement durable. Chaque partenariat associe plusieurs acteurs et est piloté par l'un d'entre eux. Shell lance ainsi un projet d'exploration gaziè-

re aux Philippines, Axel Springer (le groupe de presse allemand qui édite, entre autres, le quotidien à grand tirage Bild), un programme pour limiter la pollution dans l'impression de journaux, E7 (un réseau de grandes compagnies électriques), un projet d'énergie renouvelable dans des villages

indonésiens, Croplife International (groupe d'entreprises phytosanitaires et d'OGM), un programme de formation à l'usage des pesticides. Nombre de ces 200 projets existaient déjà avant le sommet.

Contact : [www.johannesburgsummit.org](http://www.johannesburgsummit.org)

Source : Le Monde, 01.09.02

## Siège du FMI, Washington

Une douzaine de représentants d'ONG provenant de huit pays se sont rendus au siège du FMI le 12 juin dans le cadre d'un programme international parrainé par la School for International Training (Vermont, États-Unis).

Ils ont également rencontré d'autres représentants d'ONG ainsi que des membres du Congrès et d'organisations internationales ailleurs à Washington, ainsi qu'à New York. Ils ont eu l'occasion de s'entretenir avec plusieurs membres des services du FMI du rôle de notre organisation dans la lutte

contre la pauvreté, du rôle du Bureau d'évaluation indépendant ainsi que des contacts entretenus par le FMI avec la société civile. Ils ont enfin rencontré des économistes travaillant sur leurs pays respectifs.

Une réunion préparatoire organisée le 19 juin a abordé les détails d'une réunion de haut niveau des représentants du FMI, de la Banque mondiale et des syndicats (ICFTU, WCL, AFL-CIO) qui aura lieu à Washington en octobre.

Depuis les réunions de printemps d'avril, les services du FMI

ont rencontré les ONG afin de discuter de diverses questions, y compris une proposition du FMI visant à mettre en place un mécanisme de restructuration de la dette souveraine, les rapports du Bureau d'évaluation indépendant, le DSRP et la mise en vigueur de l'Initiative PPTE, ainsi que des questions ayant trait à des pays particuliers comme l'Ouganda, le Malawi et la Gambie.

Source : *Lettre d'information trimestrielle du FMI à l'intention des organisations de la société civile*, juin 2002

## La FIFA remporte un grand prix de la santé. La Coupe du Monde sera sans tabac

Le prix de l'Organisation mondiale de la Santé pour la lutte antitabac sera remis à la Fédération internationale de Football Association (FIFA) en récompense de son action dont le point d'orgue a été la décision de bannir le tabac de la Coupe du

Monde 2002. Le prix sera remis le 28 mai 2002 au cours du Cinquante-troisième congrès de la FIFA à Séoul (République de Corée). « Le sport et le tabac ne font pas bon ménage. Nous avons un but commun : le tabac doit être banni de tous les sports, a

déclaré le docteur Gro Harlem Brundtland, Directeur général de l'Organisation mondiale de la Santé. La décision de la FIFA de soutenir notre grande cause représente une étape importante dans la poursuite de notre objectif. Le tabac a désormais disparu de la

plus grande manifestation sportive du monde. » « Nous espérons que notre message commun sera entendu avec force par toutes les organisations sportives, tous les amateurs de sport et tous les athlètes du monde entier », a-t-elle ajouté. Le Prix du Directeur général est attribué à des personnalités ou à des organisations qui ont fait preuve d'un courage ou d'une vision exceptionnelle dans la lutte antitabac. Dans la liste des anciens lauréats, on peut citer le Roi de la Thaïlande, le Ministre actuel des Affaires étrangères d'Afrique du Sud et l'ancien Attorney General du Minnesota (Etats-Unis d'Amérique). Le coup d'envoi sera lancé le 31 mai, qui est aussi la date retenue par les 191 Etats Membres de l'OMS pour marquer la Journée mondiale sans tabac

afin de sensibiliser les pays et la communauté internationale à la lutte antitabac. Conformément à l'accord de coopération signé entre l'OMS et la FIFA, il n'y aura ni publicité, ni promotion du tabac sur les sites de la Coupe du Monde et le tabac ou ses produits dérivés ne seront pas en vente lors des matchs en Corée et au Japon. Il sera interdit de fumer dans les lieux publics. Les zones réservées aux fumeurs seront peu nombreuses, clairement délimitées et mises à l'écart afin de lutter contre le tabagisme passif. Au cours des compétitions, des annonces informeront fréquemment le public de l'action menée contre le tabac. De surcroît, une annonce publique sur la Journée mondiale et le Sport sans tabac sera diffusée au cours du match

d'ouverture. Ces spots feront partie du matériel remis aux organismes de radiodiffusion internationaux et ils seront retransmis dans le monde entier. Comme l'explique Keith Cooper, Directeur de la Communication à la FIFA : « Depuis 1986, la FIFA et d'autres organismes parrainants ont exclu les cigarettiers du groupe des sponsors officiels de la Coupe du Monde ou de toute autre compétition de la FIFA. C'est pourquoi nous avons collaboré très volontiers avec l'OMS afin de tirer le meilleur parti de la Coupe du Monde pour diffuser les connaissances modernes sur les dangers de la consommation du tabac ».

(Communiqué OMS/41,  
www.who.int/tobacco, 23 mai  
2002

## Des ONG s'attaquent à la FIFA

### Certains articles estampillés FIFA seraient produits dans des conditions intolérables.

La Déclaration de Berne, Action de carême et Pain pour le prochain demandent donc à la FIFA de «s'engager à respecter et faire respecter des règles du jeu

équitables pour toutes celles et ceux qui fabriquent les articles de sport dans le monde».

Les ONG citent plusieurs exemples tirés d'enquêtes récentes en Indonésie et en Chine. Des fabriques qui ne respecteraient pas les standards minimaux préconisés par l'Organisation mondiale du travail (OIT). A savoir un salaire

décent, un horaire de travail acceptable, la liberté syndicale et l'interdiction du travail des enfants.

(Source : *L'observatoire des transnationales*, B.P. 96, 13693 Martigues, France)  
[http://www.transnationale.org/forums/tiersmonde\\_zones\\_franches/showmessag](http://www.transnationale.org/forums/tiersmonde_zones_franches/showmessag)

## L'Association mondiale de psychiatrie : droits de l'homme et transculturalité

Le XIIe congrès mondial de psychiatrie, qui s'est tenu à Yokohama du 26 au 29 août, a permis d'entériner un souci croissant de ses membres d'un retour à la clinique,

au rapport entre soignant et soigné, alors que leur discipline a tendu, depuis plusieurs années, à se focaliser sur le médicament en éclipsant le rôle du psychothérapeute, fondé

sur la relation au malade. L'élection à la présidence de l'Association mondiale de psychiatrie (AMP) du docteur Juan-Enrique Mezzich, actif partisan de ce retour à la clinique

contre le puissant "lobby" des laboratoires, est symptomatique de cette évolution. M. Mezzich, américain d'origine péruvienne, prendra ses fonctions dans trois ans.

La création, au sein de l'AMP, d'une section "psychanalyse en psychiatrie", sur l'initiative du Français Daniel Kipman qui la préside, est également significative de ce que le président sortant de l'AMP, Juan Lopez-Ibor, qualifie de "rééquilibrage" d'une approche trop biologique de la maladie mentale. La création de cette section témoigne également du poids plus grand de la psychiatrie française au sein d'une instance où sa présence a longtemps été discrète.

Ce congrès, qui était le premier à se dérouler en Asie, a attiré plus de 6 000 participants, dont la moitié d'étrangers venus de 111 pays. Riche du point de vue scientifique, avec plus de 2 000 communications prononcées au cours de 270 symposiums, il a permis d'établir ou de renforcer des liens entre les psychiatres d'une partie du monde où, avec l'Afrique, la moitié des nations qui la composent ne disposent pas de structures d'accueil et de formation psychiatriques adéquates.

### *Ethique et politique*

Dans un souci de déstigmatiser la maladie mentale, la société

japonaise de psychiatrie et de neurologie a modifié la traduction jusqu'à présent littérale de la schizophrénie, qui était demandée par l'Association des familles des malades mentaux.

En Asie orientale, un séminaire inattendu était par ailleurs consacré à la réception de la psychanalyse lacanienne, auquel ont participé des Japonais et des Coréens.

Le congrès de Yokohama a également été marqué par l'intérêt porté au champ nouveau de la transculturalité, c'est-à-dire des variants socio-culturels des maladies mentales tant en ce qui concerne leurs symptômes et les manières particulières de les exprimer que les traitements.

La question de la classification des maladies et de l'équilibre entre des références globales et des spécificités culturelles est l'un des grands débats au sein de la psychiatrie mondiale. Elle est aussi au centre de la question de l'enfermement politique, qui se pose en particulier en Chine, où l'AMP a décidé d'envoyer une mission d'enquête avant mai 2003. M. Lopez-Ibor, qui a négocié avec les Chinois le principe de l'envoi de cette mission (dont les modalités de fonctionnement restent à définir avec Pékin), a réaffirmé la détermination de l'AMP de faire la lumière sur les conditions d'internement en hôpital psychiatrique en Chine lors de la session

de clôture du congrès. Le plan d'action voté par l'AMP fait cependant uniquement référence au cas des adeptes de la secte Fa Lun Gong, victimes d'internement psychiatrique : ce qui réduit considérablement la portée de l'enquête. Tout en exprimant la préoccupation que suscite l'"utilisation abusive de la psychiatrie" en Chine, M. Lopez-Ibor a fait valoir que, depuis 2001, à la suite de plaintes sur l'utilisation politique de l'enfermement, des excès ont été corrigés et que la situation n'est pas comparable à celle de l'ex-URSS. Il a déclaré que l'AMP ne vise en rien à exclure qui que ce soit, mais à faire cesser des abus là où ils existent.

Selon Jim Birley, de l'Initiative de Genève pour la psychiatrie, qui a dirigé les inspections de l'AMP en URSS en 1991, "ces dernières années, en moyenne 3 000 personnes séjournent dans les hôpitaux psychiatriques chinois pour des raisons politiques". Pour Robin Munro, principal auteur du rapport sur les abus de la psychiatrie en Chine, la future mission "est un premier pas. Il reste à voir la marge de manœuvre dont elle disposera : le cas chinois pose la question d'éthique la plus importante à laquelle est confrontée la psychiatrie mondiale".

*Source : Le Monde, 28 août et 3 septembre 2002*

## Ombudsman Slams Commission Over TABD Secrecy

In a June 2002 decision, European Ombudsman Jacob Söderman condemned the European Commission's secrecy about the Transatlantic Business Dialogue (TABD). For over two years the Commission has

refused Corporate Europe Observatory access to key documents about its involvement in the business dialogue. The Ombudsman states that is not up to the Commission "to say which docu-

ments might or might not be useful for citizens in carrying out monitoring of the Commission's exercise of its powers."

*From: <http://www.corporateeurope.org/observer12/ombudsman.htm>*

## CARICOM heads and civil society meeting

CARICOM Heads of Government recently met with Civil Society members during the Encounter: Forward Together. Some 150 Civil Society representatives, 11 Heads of Government and representatives of regional institutions attended the Encounter. Representatives were present from institutions such as the Caribbean Development Bank (CDB), the Caribbean Association of Industry and Commerce (CAIC), the Caribbean Congress of Labour (CCL), the Caribbean Policy Development Centre (CPDC),

the University of West Indies (UWI) and the University of Guyana (UG). Also present were NGOs representing the interests of women, youth and people with disabilities.

The participants were able to reach consensus on the Liliendaal Statement of Principles on Forward Together. This statement affirms inter alia that a CARICOM-coordinated Task Force should be established to develop a regional strategic framework to advance the work of the grouping. The work of the Task Force should be guided by three main

principles: Human Resource Development with Equity, including issues in relation to Gender, Youth and Persons with Disabilities, Migration and the Diaspora; (ii) Caribbean Single Market and Economy (CSME) – Capital Investment and requirements for competitiveness; and (iii) Governance and Participation. This Task Force will be required to report to the Conference of Heads of Government at its next Inter-Sessional Meeting in 2003.

(From: *TRADEWATCH*, July 10th, 2002)

## International Sign-On Letter Against the “GATS Attack”

Although the Battle of Seattle was successful in preventing a new comprehensive round of global trade talks from going ahead, this did not mean there would not be trade negotiations at the WTO. On the contrary, a whole new set of WTO talks on global trade in ‘services’ began in February, 2000, with formal negotiations due to begin this spring after a crucial stocktaking session is completed at the end of March. These so called GATS negotiations [General Agreement on Trade in

Services] could have a dramatic and profound effect on a wide range of public services and citizens’ rights all over the world.

A statement, “Stop the GATS Attack Now!”, has been prepared by the US association Public Citizen in cooperation with an international network of civil society organizations working on WTO issues. As with previous initiatives like *No New Round!* and *Shrink or Sink!*, it is hoped that this statement will help to launch and link together a series of coun-

try-based campaigns on the GATS negotiations all over the world.

The initiative’s intention is to collect sign-ons from civil society organizations in as many countries as possible before formally launching the statement in mid-March prior to the GATS stock-taking meetings in Geneva.

(From: Global Trade Watch (GTW), a division of Public Citizen.

[http://www.citizen.org/trade/wto/gats/Sign\\_on](http://www.citizen.org/trade/wto/gats/Sign_on))



## Le monde de l'entreprise discute avec les experts de l'UE

Des activistes d'organisations venant de divers pays Européens ont conduit une action près du Résidence Palace à Bruxelles contre l'influence grandissante de l'industrie du service Européen sur l'enjeu Européen lors des négociations internationales sur l'Accord Général sur le Commerce des Services (ACGS). Ces négociations sont tenues dans le cadre de l'OMC.

Malgré une préoccupation grandissante sur les conséquences possibles pour les citoyens et l'environnement, pour l'Union Européenne l'enjeu est surtout axé sur les intérêts du monde de l'entreprise. considèrent cela comme une suite directe de la collaboration étroite entre les lobbies des services et les négociateurs Européens de l'ACGS. Ils plaident

donc que les représentants de pouvoir public ne prennent plus part à des réunions tel que celle organisée hier à Bruxelles. En plus les activistes exigent un examen total et transparent sur les préparations des négociations sur l'ACGS par l'Union Européenne.  
[http://www.transnationale.org/forums/institutions\\_\\_commerce/showmessage.as](http://www.transnationale.org/forums/institutions__commerce/showmessage.as)

## The Convention on the Future of Europe: involving civil society in the debate

Reactions are mixed as to the significance – and indeed relevance – of the plenary session held on 24 and 25 June, which was devoted to contributions from civil society. Some sceptics wonder whether the Convention Presidium is genuinely involving the civil society or merely paying lip service to it. Others criticise the manner in which the session was prepared, and organised – at short notice and very formally.

Our assessment tends towards the more optimistic. The EPC contribution was not presented until 18h30 on Monday but nevertheless there were still some 250 participants present, including the President, Vice President and Secretary. Some allowance must be made for the fact that this is the first time that the Union has prepared for an IGC in this way. It is true, however, that there was no real interaction between civil society representatives and Convention members, and no “excitement”.

We believe that there was a genuine attempt to involve the civil society, as was underlined by comments from the President, two Vice-Presidents and members of the Convention. There was also recognition that they can play an important role. The Nice Intergovernmental Conference (IGC) called for a deeper and wider debate about the future development of the EU, involving “representatives of civil society”. It was felt that civil society organisations should be consulted at as early a stage as possible. The Convention needs ongoing information from academics and think-tanks: the generation of ideas is important. The contact groups are to meet again.

Stimulating national public debates is clearly vital if EU citizens are to “buy in” to the process. Concern was expressed that the organisations presenting to the plenary – mainly European

NGOs - do not necessarily represent national attitudes. This was exacerbated by the short notice of the meeting which made it much more difficult for non-Brussels based organisations to attend. In fact, only half those who registered, actually attended.

The Convention is still at the listening stage. The question arises, however, as to how civil society can influence the Convention when it moves from listening mode to drafting and deciding modes. Will the input of the different organisations be considered by the all-important working groups? Full involvement of civil society is highly desirable, both for its own sake and as a building block to a public debate in the different Member States (and candidate countries). So far, there has only been a debate by the political elite in public.

**Stanley Crossick**

The European Policy Centre,  
7/11/2002

## Discount Davos?

Over 2,200 people from the corporate world, governments and EU institutions as well as a handful of NGO representatives attended the second European Business Summit, from 6-8 June in Brussels. The offi-

cial theme was "Sustainable development in an enlarged Europe", but the main demand coming from this year's EBS was for a further boost in the powers of the European Commission in order to speed up

the neoliberal reforms in the EU. The Commission was not only present in large numbers but effectively co-organised the event.

*<http://www.corporateeurope.org/observer12/ebs2002.html>*

## Social responsibility and the mechanical bull: the International Chamber of Commerce Dresses for Success

Laura Miller of PR Watch reports on the 34th World Congress of the International Chamber of Commerce (ICC). Over 700 business leaders gathered for a three-day conference in Denver, Colorado, to

discuss corporate social responsibility, partnerships with NGOs, and the upcoming World Summit on Sustainable Development. The main messages from the carefully orchestrated event: liberalised markets and

'free trade' will save the world and international rules on business are not needed.

*From:*

*<http://www.corporateeurope.org/observer12/liccdenver.htm>*

## Academia: a partner for the corporate agenda?

This article reviews two books on EU-level business associations by Scottish academic Justin Greenwood.

Behind the sometimes dry

academic language in these publications there is the reality of disturbingly close connections between academics and the Brussels lobbying fraternity.

Greenwood is a prime example of an academic scholar who helps to advance the corporate agenda.

*<http://www.corporateeurope.org/observer12/greenwood.htm>*

## *Internet Rights*

## Why Civil Society should lobby and protect our right to use the Internet

The Internet has become a vitally important 'commons' for the development of civil society and our networks. It presents opportunities for dialogue, debate, participation and action that do not exist elsewhere. We (civil society organisations) need

to defend and promote the Internet as an accessible and secure global communications medium for civil society.

The Internet is quickly becoming the most important medium of expression in a new age. We must be part of the process that

governs the way that information will be disseminated in the future - to encourage the free flow of communication between all nations and peoples!

Contrary to popular belief, the Internet is not naturally 'free and open'. It was deliberately made

that way by technicians who encouraged and valued collaboration, sharing and openness. Today, as governments and businesses become more and more interested in 'controlling' the Internet, we need to defend the Internet as a secure and accessible space for

social justice, campaigning and for promoting development. In the next few years, crucial meetings about the 'Information Society' will be held and will define the future of the world's next major developmental period.

In the twenty-first century

access to information and communications technologies (ICTs) is a basic human right, a right which should be protected and extended.

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## Les droits de l'homme en Egypte

La Haute cour de sécurité de l'Etat a condamné, lundi 29 juillet, le directeur du centre Ibn Khaldoun pour les droits de l'homme, Saad Eddine Ibrahim (63 ans) à sept ans de prison pour "diffamation de l'Egypte". Trois collaborateurs de M. Ibrahim ont été condamnés à trois ans de prison et 24 autres à un an avec sursis. L'accusation se fondait sur les images d'un documentaire que réalisait M. Ibrahim. Financé par l'Union européenne, il était destiné à encourager les électeurs à voter lors des élections législatives pour empêcher les fraudes. Saad Eddine Ibrahim avait déjà été condamné en mai 2001 à sept années de prison, puis libéré en février 2002, quand la cour de cassation avait ordonné un nouveau procès.

M. Ibrahim, qui a la double nationalité égyptienne et américaine et qui est professeur de sociologie à l'université américaine du Caire, avait été arrêté en juin 2000 à la suite de la publication par le Centre Ibn Khaldoun d'un rapport estimant que les coptes (chrétiens d'Egypte) étaient victimes de vexations. Il préparait aussi un observatoire en vue des élections législatives prévues pour fin 2000. La presse s'est déchaînée contre celui que certains éditorialistes ont qualifié de "traître" ou de "vendu aux ennemis". A quelques exceptions près, les milieux intellectuels se sont joints à la curée ou ont observé le silence.

A Washington, le porte-parole du département d'Etat a rappelé que les Etats-Unis avaient "régulé-

lièrement exprimé leur inquiétude tout au long du processus qui a mené à ce verdict".

L'administration américaine et des membres du Congrès avaient protesté à plusieurs reprises contre les poursuites engagées contre M. Ibrahim. L'organisation de défense des droits de l'homme Amnesty International a "fermement condamné" le verdict. Pour Amnesty, le procès visait à réduire au silence toute contestation libérale. L'avocat Négad Al Borai, qui milite également pour des réformes politiques, a estimé que l'affaire avait prouvé que "les lois égyptiennes étaient autocratiques" et devaient être amendées pour donner "des garanties aux militants des droits de l'homme".

Source : Le Monde, 31.07.02

## Water in the Middle East

Studies and statistics issued by international and Arab non-governmental organisations and commissions indicate that the Arabs are gradually entering a water shortage cycle. Unless the situation is dealt with before 2010, the problem may contribute towards conflict, especially with the continued expansion of Israeli settlements in the occupied Palestinian territories.

The Egyptian "al-Bank al-Ahli al-Masri" (people's bank) conducted a study on water in the Arab states, which stated that most Arab states will face severe water shortages and increasing demand for water for domestic, agricultural and industrial use over the next 25 years. The main reason behind water shortage lies in the way international rivers, such as the Euphrates and Tigris, are shared.

The study recommended the need for a joint Arab move to develop a water security fund at both national and regional levels. It further called for a legal formula to support interstate water resource ownership rights and joint projects between the various regional stakeholders on shared water sources, springs, and sea water desalination.

Reference: <http://www.arabic-news.com>

# Master Degree in International Studies in Philanthropy (MiSP) University of Bologna

The master program is based on the co-operation between the University of Bologna and the Indiana University Center on Philanthropy. It also develops intensive co-operation with prestigious European institutions and foundations, in teaching courses as well as in internship. The members of the Faculty are among the most outstanding scholars in different disciplines related to no-profit studies and foundations policies, from the most important research centers, such as Maecenata in Berlin, the Enrico Mattei Foundation in Milan, the London School of Economics Center for Civil Society.

The courses are held English and Italian.

The MiSP is the first full time master program in Europe, which develops a professional training focused on the social, cultural, political and economic role played by philanthropy in both contemporary and historical settings, by enhancing interdisciplinary as well as comparative issues.

Its goal is to prepare a new generation of motivated, dynamic and creative project managers in philanthropy who are able to operate across cultural, religious and political boundaries and to develop strategic visions of problems, at the national and the international scale as well as to stimulate networking processes between private institutions and the public sector.

The courses will start in January 2003 and end in January 2004. The internship, which is a relevant part of the program, will be held in prestigious institutions in Italy

(Compagnia di San Paolo, Fondazione Adriano Olivetti, Fondazione della Cassa di Risparmio di Roma, Fondazione Telethon, Fondazione Enrico Mattei) as well as in other European countries (European Foundation Center, Tercentenary Foundation of the Bank of Sweden, Bertelsman Foundation) and in the US (Lily Company Foundation, Indianapolis Community Foundation).

*The main patterns of the educational training are:*

1) the comparison among management models in profit and not for profit organizations. These models will be analyzed not only from the point of view of their functions but also from the point of view of their institutional and historical evolution. A special concern will be given to the study of management and organization of scientific research within profit and non profit institutions.

2) the comparison among different traditions of grant-making foundations and their different historical, religious, institutional and juridical context

3) a comparative analysis of the role of grant-making foundations in their main fields of activity (public health, scientific research, education, communication, arts)

4) the definition of the specific patterns that characterize the process of evaluation, accountability and management of grant-making foundations within the general framework of the third sector policies

5) the developments of specific programs of internship in Italian and European Foundation

*The MA teaching is based on*

1) academic lessons coursework central to the study of philanthropy and the role of grant-making foundation in different contexts

2) seminars and intensive training by visiting professors from European Universities and from Foundations. (practitioners, experts, program officers and consultants)

3) internship in European and American Foundations that will be appropriately prepared by an accurate knowledge of the institutional, historical and strategic framework of the Foundation in which the internship will be take place.

4) Bilateral convention with the Center for Philanthropic Studies of the Indiana University. The convention concerns the exchange of students on the basis of a system of credits corresponding to the 30% of the total of the credits of the master, including internship and the preparation of a final thesis. The convention establishes the mutual certification (double certificate, signed by the University of Bologna and by the Center of Indiana).

## The students

The students should have completed their BA in history, political sciences, jurisprudence, economics or biology They will be selected on the basis of their previous curriculum and of a preliminary interview with the members of the steering committee as well as of preliminary tests in the core disciplines. A perfect knowledge of English (spoken and written),

and of another European language is requested and will be evaluated during the admission test.

The *professional profile* is the training of program officers, particularly within the framework of cultural and grant making foundations. They will develop a multi-disciplinary background, in order to develop patterns of competence in investigating broad theoretical issue of philanthropy and to compare different institutional, religious, legal and economic traditions. They will also receive a complement of training in specific topics related to economic, organizational and financial policies which will be supported by internship in Foundations..

### Educational and training development

The Master of Arts and philanthropic studies at Indiana University and the master in International Studies in Philanthropy at the University of Bologna are the first master's degree programs respectively in the U.S. and Europe to focus on the history, cultures and values of philanthropy. Without neglecting technical training in economic and juridical subjects these programs focus on the social, cultural, religious, political and economic roles played by philanthropy and non-profit organizations in both contemporary and historical settings.

The MA is a one year 60 credit program that includes 12 sessions: 24 credits will be acquired at the University of Bologna and 24 at the University of Indiana, 12 credits are scheduled for the internships, including the credits for a thesis on a topic approved by the MA program advisory committee.

Indiana University	Indiana University
Human and financial resources for Philanthropy	Gestione finanziaria e capitale umano delle organizzazioni non-profit
History of philanthropy in the West	Storia delle fondazioni e delle charities in ambito occidentale
Ethics and values in philanthropy	Etica economica
Legal aspects of philanthropy	Aspetti storico - giuridici: il contesto europeo
Religion and Philanthropy	Tradizioni culturali, religiose e giuridiche nelle istituzioni non-profit del mondo islamico
Religion and Philanthropy	Ebraismo e tradizioni filantropiche
Cross-Cultural Dimensions	Non profit e strategie di Philanthropy formazione in ambito extra- europeo: aspetti Comparati
Internship in philanthropic studies	Valutazione dei progetti e fundraising
Civil society and Philanthropy	Società civile e settore non-profit nell'Europa orientale, in prospettiva comparata
Cross- cultural dimension	Dimensioni internazionali ed of Philanthropy interculturali dell'azione filantropica: medicina e sanità pubblica
The non profit Economy and Public Policy	Storia e teoria del welfare
Philanthropy in American culture	Storia e cultura delle fondazioni in Europa

### Equivalences

The following table shows the system of equivalence between the Indiana university master's courses and the courses at the University of Bologna

### Financing

The master is organized on the basis of a strict cooperation between the universities and the foundations that support its activity through grants and fellowships. The master will be also supported by the University of Bologna and by the fees of the students;

The following Foundations generously supported the master program with grants and fellowships:

Fondazione della Cassa di Risparmio di Roma; Fondazione della Cassa di Risparmio di Bologna; Fondazione Istituto del Banco di Napoli; Compagnia di San Paolo, Torino; Fondazione Adriano Olivetti, Roma; Fondazione Alario Elea-Velia; Fondazione della Cassa di Risparmio di Forli

*For more information contact:*  
*gemelli\_g@mail.cib.unibo.it or*  
*anton@gostec.net*  
*www.misp.it*

## International Fellowship

The Center for the Study of Philanthropy at The Graduate Center of The City University of New York is pleased to announce a unique fellowship opportunity for young scholar-practitioners in the international NGO sector.

The International Fellows Program provides leadership training through applied research and professional mentorships. Selected fellows participate in a 3-month seminar on the US and international voluntary sectors. During their residency, fellows learn about the work of key agencies, meet with foundation and nonprofit rep-

resentatives, and conduct an original research project to be presented in the seminar.

The topic of the International Fellows Program 2003 is community foundations, although work on diaspora philanthropy may also be relevant.

Candidates must be under 36 years of age, non-US citizens, highly fluent in written and spoken English and preferably have a strong institutional base and demonstrated research skills. Application proposals must be postmarked no later than October 15, 2002.

*For further details: [www.philanthropy.org](http://www.philanthropy.org), under the heading International Philanthropy.*

*Questions about the program may be addressed directly to: [csp@gc.cuny.edu](mailto:csp@gc.cuny.edu),*

*Contact: Barbara Luria Leopold, Faculty Coordinator, Center for the Study of Philanthropy*

*The Graduate Center, CUNY, 365 Fifth Avenue,*

*New York, NY 10016, USA*

*tel. 212-817-2013 or 817-2010;*

*fax. 212-817-1572*

*Email: "Leopold, Barbara" <[BLEopold@GC.CUNY.EDU](mailto:BLEopold@GC.CUNY.EDU)>*

## Protocole de Kyoto

Les quinze Etats membres de l'Union européenne ont ratifié simultanément, vendredi 31 mai 2002, aux Nations unies le protocole de Kyoto de 1997, donnant une forte impulsion à l'entrée en vigueur de cet accord international de réduction des émissions de gaz à effet de serre, en dépit de l'opposition des Etats-Unis.

Avec ces ratifications, auxquelles s'ajoute celle de l'Union européenne en tant que telle, le nombre des parties prenantes à ce protocole dépasse largement les 55, l'une des deux conditions posées à son entrée en vigueur. Toutefois, ces ratifications européennes ne portent le pourcentage des émissions prises en compte pour l'entrée en vigueur qu'à 26,6 %, soit moins de la moitié du total requis (55 %). Le protocole de Kyoto, conclu fin 1997, impose des réductions de six gaz soupçonnés de réchauffer l'atmosphère, dont le CO<sub>2</sub>, à 39 pays industriels en 2010 par rapport à 1990, dont l'UE - 8 %, Etats-Unis - 7 % et le Japon - 6 %.

Les Quinze ont obtenu le droit de se répartir leur objectif global de réduction de 8 % (Allemagne -21 %, Grande-Bretagne -12,5 %, Italie - 6,5 %, France 0 %, Espagne +15 %). Les chiffres officiels d'émissions 2000, comparés à ceux de 1990, pointent des situations très contrastées. L'Allemagne (- 19,1%) et le Royaume Uni (-12,6 %) sont en bonne voie, la France (- 1,7 %) table sur des difficultés malgré ses statistiques jusqu'en 2000. A l'opposé, l'Italie (+ 3,9 %) et l'Espagne (+33,7 %) font partie des pays en complet dérapage.

Mais les mises en garde desti-

nées à préparer l'opinion publique européenne à des mesures impopulaires (hausse de l'énergie et des transports), oublient de mentionner les futures "Bourses" du CO<sub>2</sub> (gaz carbonique) prévues par Kyoto. Celles-ci permettront aux mauvais élèves d'acheter des droits d'émettre de la pollution aux premiers de la classe, qui auront des marges sur leurs obligations. Dans un communiqué publié le 11 avril, le gouvernement russe calcule que les Européens achèteront globalement chaque année, à l'horizon 2010, 147 millions de tonnes de CO<sub>2</sub> de droits d'émission.

(*Le Monde*, 31 mai 2002).

Les transports représentent un quart des émissions de gaz à effet de serre (ADEME, 2002). On peut calculer les émissions de dioxyde de carbone (CO<sub>2</sub>) d'un véhicule selon sa carburantion: GPL: consommation (en litre) au 100km \* 1,6 = kg de CO<sub>2</sub> au 100km Essence: consommation (en litre) au 100km \* 2,37 = kg de CO<sub>2</sub> au 100km Diesel: consommation (en litre) au 100km (2,65 = kg de CO<sub>2</sub> au 100km).

Source : divers articles du Monde

## Désarmement

Les présidents Poutine et Bush ont signé un traité de désarmement nucléaire qui préfigure une nouvelle relation stratégique entre les Etats-Unis et la Russie. Les deux présidents sont également convenus d'agir ensemble contre le terrorisme dans les pays d'Asie Centrale et dans le Caucase.

<http://news.ft.com/servlet/ContentServer?pagename=FT.com/StoryFT/FullStory&c=StoryFT&cid=1021990969100&p=1012571727092>

## Fédération internationale de documentation

FID's deepening financial crisis continues to result in mounting debts and a failure to pay creditors, staff salaries, and basic operating costs. The Secretariat of The International Federation for Information and Documentation (FID), which is housed at the Royal Library of the Netherlands, therefore closed down last month and FID's office furniture was publicly auctioned to go towards paying off part of the outstanding debts. FID's board is effectively inactive as the terms of office of FID's 12 existing Council members expired at the end of December 2001 and no elections were ever held to replace them. FID's archive, spanning more than 105 years of the history of information and documentation, will continue to be housed at the Royal Library in The Hague and will be safeguarded by the UDC Consortium (also based at the Royal Library). Finally, FID has its legal seat in Belgium and will continue to exist formally as a legal entity until further notice.

## Transparency International : corruption

Transparency International vient de publier son *Indice de perception de la corruption* (CPI). Selon l'ONG, le problème de la corruption dans le monde semble s'être aggravé : pour 2002, 70% des 102 pays étudiés ont obtenu une note inférieure à la moyenne à son CPI. La France se classe, comme le Portugal, en 25e position, avec 6,3/10.

La Finlande, le Danemark, mais aussi la Nouvelle-Zélande et Singapour atteignent un score de 9/10 ou plus.

[http://www.transparency.org/press-releases\\_archive/2002/2002.08.28.cpi.en.html](http://www.transparency.org/press-releases_archive/2002/2002.08.28.cpi.en.html)

## Planetism

Inspired by discussions at the first World Civil Society Forum and the Spiritual Caucus at the UN, Geneva, and in view of the World Summit on Sustainable Development, the site Planetism.net was created as a non-profit platform to support people's individual and collective spiritual inquiries.

The underlying philosophy is that the world faces challenges that cannot be addressed without a major shift in thinking, which will then create a new way of living. This new thinking will not be taught, but will be discovered by people in their own ways, in their own time. The aim is to explore the spiritual dimension of international cooperation and sustainable development.

Contact: Jem Bendell. Email: [info@jembendell.com](mailto:info@jembendell.com)

## Ukraine : demande d'adhésion à l'OTAN

L'Ukraine lance officiellement un programme d'adhésion à l'OTAN. Toutefois l'adhésion définitive ne pourra se produire que dans un avenir relativement long, le temps pour Kiev de remplir certains critères indispensables.

[http://news.bbc.co.uk/1/hi/english/world/europe/newsid\\_2005000/2005036.stm](http://news.bbc.co.uk/1/hi/english/world/europe/newsid_2005000/2005036.stm)

## Expiration du traité CECA

Conclu pour une durée de 50 ans, le traité instituant la Communauté européenne du charbon et de l'acier, mis en oeuvre à partir de la proposition de Robert Schuman, en 1950, de mettre en commun les productions française et allemande de charbon et d'acier sous le contrôle d'une organisation supranationale, la Haute Autorité, arrivait à expiration le 23 juillet.

[http://www.europa.eu.int/escs/index\\_fr.htm](http://www.europa.eu.int/escs/index_fr.htm)

## Galileo, une déclaration européenne d'indépendance spatiale

Connaître sa position exacte dans l'espace et dans le temps ; cela sera possible avec le système de radionavigation par satellite GALILEO, initiative lancée par l'Union européenne et l'Agence spatiale européenne (ESA).

La radionavigation par satellite est une technologie de pointe. Elle résulte de l'émission, à partir de satellites, de signaux indiquant une heure d'une extrême précision. En outre, elle permet au détenteur d'un récepteur de déterminer très précisément sa position à chaque instant grâce au captage de signaux émis par plusieurs satellites. Cette technologie, aux applications infinies, existe aux Etats-Unis avec le système GPS et en Russie avec le système GLO-NASS. Elle est à ce jour financée et contrôlée par les autorités militaires de ces deux pays. La continuité et la qualité de son utilisation civile dépendent donc de ces dernières qui peuvent, par exemple, stopper ou dégrader le signal à tout moment.

Avec GALILEO, développé par l'ESA avec l'Union Européenne sur

la base d'un cofinancement 50-50, c'est un système civil complet qui doit être opérationnel à partir de 2008 et offrira au monde entier, et en particulier aux Européens, un moyen précis, sécurisé et certifié de localisation par satellite.

Deux centres de contrôle GALILEO (GCC) seront installés en Europe pour suivre le fonctionnement des satellites et gérer le système de navigation. Les données fournies par un réseau mondial de vingt stations de détection (GSS) seront adressées aux GCC, via un réseau de télécommunications redondant. Les GCC utiliseront les données envoyées par les GSS pour établir les données d'intégrité et pour synchroniser les signaux de temps des horloges des stations sol et des satellites. Les centres de contrôle adresseront leurs données aux satellites par l'entremise de stations dites de 'liaison montante'. Cinq stations de ce type en bande S et 10 stations en bande C seront installées à cet effet autour du globe.

Source : Lettre de la Fondation Robert Scchuman, n°87

## Gouvernance économique de l'UE

Romano Prodi, Président de la Commission, a décidé de créer un groupe de haut niveau chargé de passer en revue l'ensemble des instruments économiques de l'UE et d'évaluer s'ils sont des instruments de gouvernance économique adaptés dans le contexte de l'élargissement. Le groupe examinera la nécessité ou non de nouvelles politiques pour garantir la croissance, la stabilité et la cohésion.

[http://europa.eu.int/rapid/start/cgi/guestfr.ksh?p\\_action.gettxt=gt&doc](http://europa.eu.int/rapid/start/cgi/guestfr.ksh?p_action.gettxt=gt&doc)



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Whatever his or her specialty, the candidate must meet the conditions laid down by his or her own University for acceptance as a thesis candidate. Subjects suggested by candidates must be approved by a local course director and accompanied by a short note setting out the broad lines of the intended research. Candidatures have to be received by UIA before the 30th November 2002. The UIA Council reserves its right to accept only the more interesting or the more original subjects for competition. It will inform the candidate of its decision in due time.

The thesis has to be upheld in 2001 or, at the latest, before the 30th November 2002. Manuscripts must be written in English or French and sent to the UIA secretariat in triplicate before 1 January 2003. The UIA Council will proceed to set up a jury of qualified persons who will have full discretion in awarding, or if necessary, dividing the prize (or withholding any award)

The official award of the prize will take place during the UIA General Assembly 2003.

*All additional information may be obtained from :*  
*The Secretariat of UIA, 40, rue Washington, B-1050 Brussels (Belgium)*  
*Tel (32 2)640 18 08 – Fax (32 2)643 61 99 – E-mail uia@uia.be – Website <http://www.uia.org/>*

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Quelle que soit sa spécialité, le candidat devra remplir les conditions requises par son Université d'origine pour être admis à préparer une thèse. Les candidatures devront parvenir à l'UAI avant le 30 novembre 2002. Les sujets proposés par les candidats devront être approuvés par un directeur de thèse local et accompagnés d'une courte notice destinée à faire ressortir les principaux axes de la recherche. Le Conseil de l'UAI se réserve de ne retenir, en vue du concours, que les sujets les plus intéressants ou les plus originaux. Il en informera les candidats en temps utile.

La thèse devra avoir été soutenue en 2001 ou, au plus tard, avant le 30 novembre 2002. Elle devra être rédigée en anglais ou en français et remise en 3 exemplaires au Secrétariat de l'UAI avant le 1er janvier 2003. Le Conseil de l'UAI aura la charge de constituer un Jury de personnalités hautement qualifiées, qui aura toute latitude pour décerner ou pour partager éventuellement le prix (ou pour n'en décerner aucun).

La remise du prix décerné par l'UAI aura lieu en 2003 à l'occasion de son Assemblée générale.

*Pour tous renseignements complémentaires, prière de s'adresser au :*  
*Secrétariat de l'UAI, 40, rue Washington, B-1050 Bruxelles (Belgique)*  
*Tel (32 2)640 18 08 – Fax (32 2)643 61 99*  
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**Cross-references:** Integrated into the alphabetic sequence of descriptions are cross-references to related organizations. Access is possible via organization names in English, French, and other working languages, and via initials or abbreviations in various languages

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– **Membership:** the international organizations which have members in that country. For each organization listed, the international headquarters address is given, in whatever country that is located

## ◇ Vol. 3 Global Action Networks: Classified Directory by Subject and Region (Subject Volume)

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International organizations are **listed by subject**, with general and detailed categories, according to their principal pre-occupations. The classification scheme highlights functional relationships between distinct pre-occupations. The international organizations are also listed by subject according to the **region** with which they are particularly concerned.

The **index** includes: keywords from organization names; former names in various languages; alternative names/initials in various languages; organization subject categories in English, French German, Russian and Spanish; names of principal executive officers; names of founding personalities.

## ◇ Vol. 4 International Organization Bibliography and Resources

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Periodical and other major publications of international organizations are listed by title, with an indication of the organization publishing the item and of where the description of that organization may be found in Volume 1. This expanded version of the index, previously published as an Appendix to Volume 1, also contains bibliographic information on research on NGOs and information derived from the *Encyclopedia of World Problems and Human Potential*.

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The publication of this first edition of a specialized volume in the Yearbook series is in response to the many enquiries the editors receive for statistical information on international organizational activity. It contains: detailed statistical tables previously included in Volumes 1B, 2, 3, and 4; previously unpublished historical statistical summaries and analyses; statistical data on the meetings of international organizations as published in the quarterly *International Congress Calendar*; and visual representations of statistical data and networks, partly derived from the *Encyclopedia of World Problems and Human Potential*.

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## For more information contact:

Union of International Associations  
Rue Washingtonstraat 40, B-1050 Brussels, Belgium  
Tel. (32 2) 640 18 08  
Fax (32 2) 643 61 99  
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