

Democracy in Global Governance: The Promises and Pitfalls of Transnational Actors

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The participation of transnational actors in global policy-making is increasingly seen as a means to democratize global governance. This paper assesses the promises and pitfalls of this vision, drawing on alternative theories of democracy and existing empirical evidence. More specifically, it explores how the structuring and operation of international institutions, public-private partnerships, and transnational actors themselves may facilitate expanded participation and enhanced accountability in global governance. The paper finds considerable support for an optimistic verdict on the democratizing potential of transnational actor involvement, but also identifies a set of hurdles in democratic theory and the practice of global governance that motivate a more cautious outlook. It ends in a call for research that explores the conditions for democracy in global governance through a combination of normative political theory and positive empirical research.

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Introduction

The growth of governance beyond the nation state is one of the most distinct political developments during the last half century. While the early post-war period witnessed the establishment of a set of major international institutions, more recent developments include the emergence and spread of public-private partnerships (Rosenau 2000), as well as entirely private governance arrangements (Hall and Bierstecker 2002). Traditionally, the rationale of global governance arrangements, and their principal source of legitimacy, has been their capacity to address problems and generate benefits for states and societies. Yet, in recent years, international institutions and other governance arrangements have increasingly been challenged on normative grounds, and found to suffer from democratic deficits (Held and Koenig-Archibugi 2005).

The purpose of this paper is to address the potential role of transnational actors in the process of democratizing global governance. We use this term to denote the broad range of private actors that organize and operate across state borders, including non-governmental organizations (NGOs), advocacy networks, social movements, party associations, philanthropic foundations, and transnational corporations (TNCs) (cf. Risse 2002). Of particular interest are global civil society actors, whose participation in policy-making increasingly is seen as holding the promise of a democratization of global governance (McGrew 2002; Scholte 2005; Steffek et al. 2008). Transferring models of democracy originally developed for the national context, and developing new models of democracy tailored for the international level, democracy theorists have advanced blueprints for how global governance arrangements may be reformed to integrate transnational actors and thus meet the standards of democratic decision-making.

In this paper, we assess the promises and pitfalls of this vision. Drawing on theories of representative, participatory, and deliberative democracy, we identify how the involvement of

transnational actors may serve to democratize global governance, by way of expanding participation and strengthening accountability. But, in addition, we address the problems and limits of this vision – in principle and as revealed by existing evidence. We structure this analysis in three parts, each exploring a central component of global governance: the design of international institutions, the nature of public-private partnerships, and the qualities of participating transnational actors.

In all three areas, we find considerable support for an optimistic verdict on the democratizing potential of greater transnational actor involvement. Most notably, bringing on board NGOs, social movements, and advocacy networks can expand participation in global governance, not only because it broadens the range of actors involved in international policy-making and the provision of public goods, but also because these actors by nature tend to allow for more direct citizen participation. In addition, transnational actor involvement can strengthen accountability in global governance, by supplementing existing mechanisms of internal accountability within institutions and organizations with new mechanisms of external accountability through stakeholders and citizens.

However, we also identify a set of non-negligible concerns and obstacles that motivate a considerably more cautious or even pessimistic outlook. The patterns of participation in international institutions, public-private partnerships, and transnational organizations themselves tend to be unbalanced, compromising the potential of expanded involvement. Moreover, external accountability is limited as a supplement to or substitute for internal accountability, since it is often difficult to distinguish who the stakeholders are and how they can hold actors responsible for their decisions.

The concluding message of this paper is that future research on democracy and global governance would be best served by combining normative political theory and positive empirical research. What is needed are not more grandiose blueprints for global democracy or

more case studies of transnational activity, but comparative empirical assessments of the conditions under which transnational actors may live up to the promises and avoid the pitfalls as forces for democratic global governance.

The presentation of the paper proceeds in five parts. The next section briefly introduces the three models of democracy, which privilege alternative mechanisms for the realization of democracy. The subsequent three sections offer analyses of the extent to which international institutions, public-private partnerships, and transnational actors themselves are structured and operate in ways that facilitate participation and accountability in global governance. We conclude by outlining an agenda for future research on transnational actors and the conditions for democracy in global governance.

Models of Democracy and Key Democratic Values

In order to analyze the democratic promises and pitfalls of transnational actor participation, we need criteria that are well-anchored in established theories and conceptions of democracy. Yet normative democratic theory is not a unified approach, but consists of several different strands of theory, often described as alternative models of democracy. One common distinction in the literature is the trichotomy of representative democracy, participatory democracy, and deliberative democracy (cf. Elster 1986; Karlsson 2001). Below, we very briefly outline the main characteristics of these three models, and highlight the varying emphasis in these models on participation and accountability as central democratic values.

The model of *representative democracy* emphasizes the opportunity for citizens to choose between competing political elites with alternative political agendas, and to hold decision-makers accountable for their actions (Schumpeter 1943; Dahl 1967). The electoral contest is the central mechanism through which citizens make political choices and hold their leaders accountable. When applied to the international level, the model of representative

democracy translates into calls for the establishment of majoritarian institutions based on electoral contest, as well as the strengthening of transnational party associations.

The model of *participatory democracy* stresses direct citizen participation as a prerequisite for a proper democracy (Pateman 1970; Barber 2003). According to the ideals of this model, it is highly unsatisfactory if citizens are reduced to voters, whereas political elites control actual decision-making. Instead, citizens must be brought back into the political process itself. Compared to those favouring representative democracy, participatory democrats also tend to be more concerned about avoiding exclusion and marginalization based on, for instance, gender, ethnicity and class. This results in a focus on power structures, next to institutional mechanisms of direct democracy. When developed in the context of global governance, this perspective translates into proposals for transnational referenda, citizen initiatives, judicial access for individuals, and broad civil society participation, including previously marginalized groups (cf. Eschle 2001; Patomäki and Teivainen 2004).

The model of *deliberative democracy* emphasizes deliberation among citizens or their representatives as the mode for realizing democracy (Fishkin 1991; Habermas 1996). Criticizing other theories of democracy for paying too much attention to the aggregation of preferences, proponents of this model argue that democratically legitimate decisions best are achieved through an informed public debate. Via the joint exploration of arguments and alternatives, deliberation leads to the formation of opinions, facilitates consensus, and lends legitimacy to decisions. Prerequisites for successful deliberation include access to reliable and relevant information, as well as the existence of a public sphere with open forums of discussion. When applied to the international realm, this model generates proposals for stakeholder forums, transparency, and transnational discursive space (Risse 2005; Dryzek 2006).

While these three models were originally formulated for democracy in national polities, scholars have in recent years sought to theorize democracy specifically at the global level. In this vein, cosmopolitan democratic theory is informed by the ambition to rethink how democracy can be organized, given the special character of the global arena (Archibugi and Held 1995; Held 1995; Scholte 2002; Bohman 2005b). Whereas many concrete proposals for democracy at the global level are inspired by traditional forms of democracy, the purpose is to move beyond models of national democracy. Central aspects of the cosmopolitan vision are the construction of new democratic institutions at the global level, broad civil society participation in decision-making, and redistribution of power at regional and global levels along the lines of the all-affected principle. Nevertheless, cosmopolitan models draw on representative, participatory and to some extent also deliberative models of democracy, and hence we do not treat cosmopolitan democracy as a separate model of democracy here.

Whereas this brief outline of models of democracy provides our study with a necessary base in normative democratic theory, it does not offer more specific criteria that can be used to structure the analysis. For this purpose we need to focus on key democratic values. Two such values, which appear as recurrent concerns in much democratic theory, are participation and accountability. From the perspectives of participatory and deliberative democracy, the scope and form of *participation* in deliberation, decision-making or other political activities are the key concern. Generally speaking, the more inclusive the deliberation or decision-making, the more democratic it is. The ideal is that all significantly affected people should have equal possibility to participate. In form, participation could be limited to the election of representatives, as favoured by proponents of representative democracy, or involve more direct and active participation, as advocated by but participatory democrats.

The model of representative democracy stresses formal *accountability* mechanisms rather than participation. Accountability means that “some actors have the right to hold other

actors to a set of standards, to judge whether they have fulfilled their responsibilities in light of these standards, and to impose sanctions if they determine that these responsibilities have not been met” (Grant and Keohane 2005: 29). Effective accountability requires mechanisms for information and communication between decision-makers and stakeholders, as well as mechanisms for imposing penalties (Held and Koenig-Archibugi 2005: 3). Grant and Keohane (2005) distinguish between *external* accountability to those affected by the activities of the actor exercising power, and *internal* accountability to the principals who have delegated authority to the power-wielders. From the perspective of participatory democracy, external accountability, through the inclusion of stakeholders at the grassroots level, is the ideal.

In our examination of democratic promises and pitfalls of transnational actors in global governance, we will focus on the central democratic values of participation and accountability, and relate our analysis to the models of representative, participatory and deliberative democracy. We begin by exploring international institutions.

Democracy, Transnational Actors, and International Institutions

International institutions constitute central actors and arenas in the global governance of areas such as trade, development, environment, security, and human rights. However, one of the most profound trends over the past decade or two is the growing extent to which these institutions are challenged on normative grounds (Held and Koenig-Archibugi 2005). Critics portray international institutions as suffering from “democratic deficits,” when measured against traditional standards of democracy. This debate first arose in relation to the European Union (EU) in the early 1990s, but has since spread to other international institutions. According to the critics, the traditional source of legitimacy for international institutions – problem-solving effectiveness – is no longer sufficient in itself, but must be supplemented

with more democratic procedures of decision-making. Formulated in the terms of Fritz Scharpf (1999), global governance must rest on input legitimacy as well as output legitimacy.

The scholarly debate on the democratic legitimacy of international institutions today features three main positions. According to the first position, democracy beyond the nation-state will be impossible to achieve, because of the absence of a transnational demos (Dahl 1999; Scharpf 1999). Even if such a development may be normatively desirable, it is not realistic to imagine democratic international institutions, according to this pessimistic view. Proponents of a second position question the diagnosis of a democratic deficit in global governance, and therefore claim that there are few reasons to engage in democratizing reforms (Majone 1998; Keohane and Nye 2003; Moravcsik 2005). If international institutions are compared to how established democracies actually work, rather than to ideal models of democracy, the verdict will be more positive and the need for democratizing reforms less imperative. Finally, advocates of a third position recognize the presence of a democratic deficit, and consider it both desirable and possible to democratize international institutions (Held 1995; Zürn 2000; Scholte 2002; Steffek et al. 2008). Scholars in this tradition suggest expanding the involvement of transnational actors in general and civil society actors in particular. In the remainder of this section, we explore the viability of this third position.

Participation

Offering transnational actors access to international institutions holds a *promise* of enhanced democratic legitimacy through expanded participation. In the traditional intergovernmental model of decision-making, participation in international institutions is limited to state representatives. As the founders and constituent members of international institutions, states typically control the major decision bodies and carry the primary responsibility for implementing agreements. In democratic terms, this traditional model rests on the principle of

indirect representation of the people through the participation of nationally elected governments and their designated bureaucratic agents. Yet, when measured against the democratic ideal of inclusion of all significantly affected people, emphasized by both participatory and deliberative theories of democracy, this model is called into question. The activities of international institutions increasingly impact on the lives of citizens, as issues that previously were dealt with at the national level now are addressed through joint decision-making at the international level. Yet the formal means for citizen participation largely remain local or national.

Transnational actor involvement in international institutions expands the range of participation, and offers a complementary channel for citizen influence (O'Brien et al. 2000; Scholte 2002). By mobilizing citizens for particular causes, civil society organizations, such as NGOs, social movements, and religious institutions, give voice to the stakeholders in global governance. Transnational actors may thus help bring citizen concerns into the debate and onto the agenda. Conversely, civil society organizations may help raise the public's awareness of the decisions and actions of international institutions. In the words of Jens Steffek and Patrizia Nanz (2008: 3): "Organized civil society has the potential to function as a 'transmission belt' between the global citizenry and the institutions of global governance."

Participatory democratic theory suggests that the inclusion of civil society organizations in international policy-making can help to upgrade the people from passive voters to active citizens. Whereas, in a representative democracy, citizen influence on global issues is reduced to the casting of a ballot in national elections, civil society activism offers a more direct and potentially more rewarding channel. In addition, transnational actor participation in international institutions can open up means of influence for groups in society that often are marginalized in representative bodies. Deliberative democratic theory, too, conceives of

expanded participation as a democratic virtue, and underlines the potential for arriving at legitimate decisions through an open and informed public debate.

Yet offering access to transnational actors is not a complication-free solution to the legitimacy problems of international institutions. There are a number of potential *pitfalls*, of which two are particularly prominent. The first concern pertains to the question of who gets to participate. Are those transnational actors that are granted access representative of the universe of interests within a particular domain? Existing research suggests that the participation of transnational actors is far from evenly balanced. Economically powerful transnational corporations tend to have more resources and access points. Among global civil society actors, well-organized and well-funded NGOs tend to be overrepresented, whereas marginalized groups from developing countries tend to be highly underrepresented (Scholte 2002: 296; Kissling and Steffek 2008: 215). This suggests that the participation of transnational actors may reproduce, rather than compensate for, existing structural inequalities in world politics. Another factor influencing the patterns of participation are the accreditation procedures operated by many international institutions for purposes of screening NGOs. Since a common criterion in these assessments is the relevance and usefulness of an NGO's activities to the international institution in question, there is a risk of participation being biased in favour of functionally valuable NGOs (Willettts 2006).

A second concern pertains to how transnational actors get to participate. Simplifying slightly, mechanisms of participation may be placed on a continuum, ranging from representation to collaboration, consultation, and information sharing (Tallberg 2008). Provisions for formal representation of transnational actors on the decision-making bodies of international institutions remain rare, with the International Labour Organization (ILO) and the EU offering exceptional arrangements in this regard. Mechanisms for collaboration have become increasingly common since the 1980s. Two prominent forms are contracts for NGOs

to perform services on the part of international institutions, and access for private actors to international courts and tribunals. Yet the most common form of access is probably consultation, which includes arrangements for NGO accreditation to international conferences, civil society advisory bodies, and complaints procedures for private parties. Finally, information-sharing arrangements, too, have steadily become more widespread, as a growing number of international institutions have adopted public information policies as a way of enhancing transparency. This brief summary suggests that transnational actors increasingly enjoy access to international institutions, and contribute to agenda setting, implementation, and enforcement, but largely remain excluded from the core of international cooperation: the decision-making stage (see, also, Raustiala 1997; Risse 2002; Kissling and Steffek 2008).

Accountability

Access for transnational actors to international institutions holds a *promise* of enhanced accountability, by offering stakeholders opportunities to evaluate and sanction decision-makers. In the traditional intergovernmental model of international institutions, accountability is a product of member states (principals) holding international officials (agents) accountable through control mechanisms. However, this model offers no means for citizens affected by the decisions and actions of international institutions to express support or discontent. Opening up international institutions to transnational actors could remedy this situation, by granting stakeholders a role in the process of securing accountability (Scholte 2005). This would entail supplementing existing mechanisms of internal accountability with new mechanisms of external accountability.

Accountability through transnational actor involvement may be organized in a variety of ways. The theory of representative democracy places particular emphasis on elections as the

central mechanism for citizens to make political choices and hold decision-makers accountable. Transferring this model to politics beyond the nation state, cosmopolitan democracy theorists advocate the establishment of legislatures at the global and regional levels (Held 1995, 2005). The directly-elected European Parliament, with power equalling that of EU governments in most areas, stands as the foremost example of such a transnational mechanism of accountability. But also other international institutions, such as the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE), and the North Atlantic Treaty Organization (NATO), operate parliamentary assemblies, albeit indirectly elected.

Beyond the electoral mechanism, transnational actors may help hold international institutions accountable through legal redress and monitoring of commitments. Over the past two decades, both forms of mechanisms have become increasingly prominent. Access for private parties has grown from being a central feature of a limited set of important international courts, to becoming a defining feature of the new generation of international courts established since the early 1990s (Alter 2006). Where no formal means of legal redress exist for individuals, there are increasingly other institutionalized means for civil society actors to review policy and monitor commitments, such as submitting independent reports and lodging non-compliance complaints (Raustiala 1997; Scholte 2005).

Yet the strategy of enhancing the accountability of international institutions through transnational actor involvement is associated with a set of potential *pitfalls* as well. The proposal to create regional or global parliamentary assemblies has met with great scepticism, partly because of issues of practicality, partly because of political philosophical issues. Even an enthusiast of civil society involvement, such as Jan Aart Scholte (2002: 291), concludes: “Global legislatures are not the answer to these democratic deficits. Although one or two regional governance frameworks have acquired a popularly elected regional assembly, it is

not practicable to transpose this model to transworld institutions.” Not only is the electoral infrastructure for the most part absent and difficult to imagine at a global level; in addition, there is widespread political resistance to the level of supranationality that such a development would entail. Moreover, even if practical and political problems could be solved, there is the philosophical issue of whether the global demos is sufficiently “thick” to allow for representation and accountability through global legislatures (Dahl 1999; Kymlicka 1999).

The operation, effectiveness, and increasing use of transnational mechanisms of legal redress and monitoring suggest that this is a more viable way of improving the accountability of international institutions. However, these accountability mechanisms are subject to the same potential problem of unevenly distributed resources as transnational actor participation in general. Since it is highly time- and resource-consuming to pursue legal cases in international courts, collect independent information on state compliance, and evaluate policy effectiveness, only the best equipped transnational organizations can engage in such accountability activities. Even in the EU15, with homogenously high levels of socioeconomic development, the level of legal resources constituted a factor shaping the patterns of private litigation in the institution’s courts (Conant 2002). Hence, the optimistic conclusion that transnational actors can play a central role in holding international institutions legally accountable, should be matched by an appropriate awareness of the unequally distributed prerequisites for participation.

In sum, there is reason to match the optimism about the democratizing potential of transnational actor involvement with an awareness of the challenges in terms of participation and accountability. We now turn to a second central component of global governance today: public-private partnerships.

Partnerships and Democratic Values in Global Governance

The global regulatory activity in recent years by the non-profit actors of transnational civil society and the profit-oriented actors of the global market, has given private actors authority in areas that traditionally belonged to the state and the public sector. The proliferation of transnational partnerships in areas of human rights, the environment, and development, as well as the idea of corporate social responsibility, are illustrations of this trend. Partnerships vary in the degree of formal institutionalization, operate in a range of issue areas, and exist at all stages of the policy process. Well-known examples are the UN Global Compact and the sustainability partnerships established after the Johannesburg Summit in 2002.

Two main approaches in research on partnerships can be discerned. One emphasizes the potential of partnerships to close governance gaps, create win-win situations, and improve problem-solving (cf. Ruggie 2004; Nelson 2002), while the other is critical of the increased participation of for-profit businesses in cooperation on global public goods (cf. Ivanova 2003). Whereas existing literature is strong in mapping the growth and variety of public-private partnerships, research on the democratic legitimacy of these arrangements is still young. In the following, we sketch potential democratic promises and pitfalls of transnational partnerships, focusing on participation and accountability.

Participation

Partnerships hold a *promise* to further democracy in global governance by broadening participation and providing spaces for deliberation on global public goods. Partnerships are intended to promote learning, dialogue, and the spread of best practices (cf. Ruggie 2004). They can be perceived as forms of deliberative democracy suitable for the global level on the premise that “democracy is more about deliberation, reasoned argument and public reflection

among affected stakeholders than voting and aggregation” (Bäckstrand 2006: 304). Partnerships may conform to the ideals of deliberative democracy, especially if participation by civil society actors is high (Mörth 2006). Many civil society organizations have close linkages to local communities and can act as mediators and build trust between communities and partnership participants (Nelson 2002: 21).

The inclusiveness emphasized by models of participatory and deliberative democracy is a potential strength of partnership arrangements. Transnational partnership processes are usually highly transparent, include innovative elements that increase participation of affected communities, and contain meaningful deliberation (Dingwerth 2007). Still, partnerships make visible the trade-offs in actual democratic practice between deliberation and accountability, transparency and deliberation, and between inclusiveness and deliberative quality.

Partnerships also contain democratic *pitfalls* with regard to participation, primarily concerning the choice of participants and power imbalances. Compared to international institutions, transnational partnerships have two main democratic deficits: they are self-mandated and the definition of their relevant constituencies/stakeholders is arbitrary (Dingwerth 2007). A very inclusive partnership (high input legitimacy) leads to a lack of efficiency and less problem-solving capacity (low output legitimacy), mirroring a persistent tension in democratic theory. From the point of view of representative democracy, criticism can be directed against ambitions of wide inclusiveness at the expense of clear chains of representation and accountability. Moreover, as participatory democrats would emphasize, power structures and patterns of exclusion prevent the inclusion of NGOs in partnerships from automatically reducing democratic deficits in global governance. The limited participation of NGOs from the global south is part of a broader pattern of Western hegemony in the international system (Börzel and Risse 2005: 212).

Preliminary evidence from different issue areas suggests that arbitrary participation results in limitations in the democratic legitimacy of partnerships. Buse and Walt (2002) contend that few global health partnerships include low-income country representation, and that private sector representation sometimes is ad hoc in character. Generally, they conclude that “[public-private partnerships] provide the commercial sector and purposely selected (predominantly northern) scientists with improved access to decision making within the UN, which is not matched for recipient countries, not-for-profit agencies, southern scientists, and other marginalized groups” (Buse and Walt 2002: 189).

Analyzing the environmental realm, Karin Bäckstrand (2006: 299) points out that “[p]artnerships mirror rather than transform existing relations of power between North and South, governmental and private authority and global professionals and local grassroots.” Partnerships in the field of communication technology in developing countries give evidence of market actors constituting the stronger party, as do partnerships on water supply, where the hopes for win-win situations have not been realized. Instead, the interests of the private actors have tended to be determinant: the maximization of profit, the reduction of risk, or the expansion of markets (Bull and McNeill 2007: 156-163).

Accordingly, partnerships raise democratic concerns about power and exclusivity. Win-win situations may not be realized in practice, despite increased participation. If we bring demands on effectiveness and problem-solving capacity into the equation, more participation is not necessarily better, because of the tension between input and output legitimacy (e.g., Börzel and Risse, 2005: 210). Compared to fundamental systemic inequalities, however, the democratic importance and transformative effect of partnerships appear small and partial. They do not alter the structural causes of the problems they address or challenge the underpinnings of the global order (cf. Bull and McNeill 2007: 171-177; Ivanova 2003). At

any rate, partnerships illustrate tensions and trade-offs in global governance that need further exploration.

Accountability

Partnerships hold a *promise* to contribute to an expansion of accountability mechanisms in global governance. A pluralistic system of accountability can apply to partnerships and networks since they escape traditional chains of accountability and lack an electoral base (Benner et al. 2005). Hence, electoral and hierarchical accountability are not applicable to partnerships. Instead, mechanisms of professional/peer accountability, public reputational accountability, market accountability, financial accountability, and to a minor extent legal accountability, come to fore (cf. Grant and Keohane 2005). This raises the question of whether a partnership ought to be seen as an actor per se, or rather an association of actors with less agency, a process structure, where the democratic qualities are determined by the qualities of the participating actors. Arguably, the above forms of accountability can apply both to the individual actors of partnerships (NGOs, companies, interstate bodies), to the process dimension of partnerships (selection of participants, transparency), and to the outcomes of partnerships (Benner et al. 2005: 76-82). However, several of these mechanisms are not related to *democratic* accountability, particularly not as conceived of in the model of representative democracy, which emphasizes the electoral contest.

As to *pitfalls*, it is a common assumption in the literature that accountability is made more difficult in multi-actor partnerships as strong formal accountability mechanisms are absent. For example, in a volume on public-private partnerships for public health, Michael R. Reich (2002) identifies as a fundamental dilemma for such partnerships how to both achieve their potential and assure accountability. In the same issue area, Sonja Bartsch (2008) demonstrates that the type of health partnership and the composition of principals

significantly influence how accountability is achieved. Financing partnerships have a higher degree of accountability than service provision partnerships, for example.

Chains of both internal and external accountability become more complex as public and private spheres of responsibility turn more interwoven. Through the lenses of representative democracy, partnerships are problematic, since they might make the division of power and responsibility more unclear, and transparency and voter judgments more difficult (Mörth 2006). Partnership participants are accountable towards rather different kinds of stakeholders. Only the governmental partners are subject to a traditional democratic chain of accountability. Criticism is therefore directed against partnerships on the grounds that responsibility for decisions and outcomes on public goods ought to rest with politically accountable governments. Criticism also concerns weak monitoring, the use of market mechanisms, and the fear that governments might use partnerships to sidetrack debate on their own commitments (Ivanova 2003).

The potential pitfalls of partnerships mirror a general concern that business self-regulation and an extended social responsibility of private companies weaken public accountability. “[I]ndustry initiatives are not part of a political process in which accountability, equity, and participation are valued” (Haufler 2001: 122). In addition, the distance between the partners and the beneficiaries, as well as the time span for partnership impact to be felt, render accountability vague (Buse and Walt 2002: 189). Empirical studies demonstrate that the degree of transparency differs between partnerships and that strong formal accountability mechanisms often are absent, for example, between affected actors and the board of a partnership (Schäferhoff et al. 2007: 28f).

In any case, the assessment of internal and external accountability of partnerships depends upon the yardstick applied. It makes a great difference whether partnerships are compared with theoretical models of democracy or with the actual performance of

international institutions in the same issue area (cf. Börzel and Risse 2005: 214; Bäckstrand 2006: 304; Benner et al. 2005: 82). Preliminary evidence also suggests that it is necessary to engage in comparisons of partnerships within and between issue-areas, as well as in comparisons between public-private and purely private partnerships, in order to gain a more fine-grained understanding of their promises and pitfalls. Next, we examine the democratic qualities of transnational actors themselves.

Democratic Qualities of Transnational Actors

Transnational actors include profit-seeking transnational corporations as well as various types of value based civil society actors, ranging from professional NGOs with a formal organizational structure to more diffuse social movements and activist networks. Sometimes, the categories of market and civil society actors are blurred, as in the case of philanthropic foundations. However, civil society actors figure most prominently in the literature on democratic qualities of transnational actors. These actors, as opposed to profit-oriented companies, are typically engaged in the production of public goods and make the strongest claims to contribute to the democratization of global governance. We therefore focus our analysis on civil society actors, even if we also briefly address the democratic credentials of transnational corporations and philanthropic foundations.

There has been a tendency in earlier research to portray civil society actors in a romantic way as champions of democracy and other normatively good causes. Empirical case studies have been biased toward movements and networks campaigning for causes that most people consider desirable (cf. Smith et al. 1997; Keck and Sikkink 1998). Where democratic problems, such as a lack of accountability or transparency, have been noted, it has mostly been in passing (cf. Edwards and Gaventa 2001). In recent years, however, there has also been much criticism levelled against transnational NGOs. The legitimacy of these actors has been

questioned with reference to their alleged lack of representiveness, accountability, and transparency. Rather than being promising contributors to the democratization of global governance, transnational civil society actors are depicted as themselves being undemocratic. Much of this criticism has come from the perspective of business, states and international institutions, which are challenged by the radical advocacy of parts of transnational civil society (cf. Doh and Teegen 2003).

In contrast to these two strands of research, a more nuanced analysis of the legitimacy of transnational actors – focusing on promises as well as pitfalls – is emerging. Attempts to examine the sources of legitimacy of civil society actors have focused on aspects like the representation and empowerment of marginalised groups, moral authority based on values and norms, and financial and political independence. Furthermore, studies have pointed to how transnational NGOs, acting in a context of state failure, may deriving legitimacy from the failing legitimacy of states (cf. Jordan and van Tuijl 2000; Van Roy 2004; Collingwood 2006; Brown 2008). While such a broad analysis of civil society legitimacy is useful, we also need to be more specific about the *democratic* legitimacy of transnational actors. Hence, as outlined above, we will focus on problems of participation and accountability.

Participation

Transnational civil society actors hold a *promise* to contribute to the democratization of global governance, as they often allow for broader and more direct participation than what is common within many states, international institutions, and transnational corporations, where participation in decision-making typically is limited to small elites of decision-makers (cf. Kovach 2006). Some transnational NGOs try to facilitate the participation of marginalised groups at the grassroots level. More diffuse transnational activist networks also claim democratic legitimacy based on their non-hierarchical form of organization. Without any

central decision-making body, they claim to allow for equal participation of all parts of the network. From the perspective of deliberative democracy, the World Social Forum could be perceived as an attempt to develop a platform for transnational democratic deliberation within an emerging global civil society (Smith et al. 2008).

It might be argued that the participation of all stakeholders is often neither practically possible nor democratically necessary. Even if participation and formal representation of constituencies is lacking, transnational NGOs may represent the ideas and voices of their stakeholders. Keck (2004: 45) argues that civil society activists in international institutions represent “positions rather than populations, ideas rather than constituencies.” This is what she calls “discursive representation.” Charnoviz (2006: 36) agrees when he claims that the usefulness of NGO ideas is more important than how well those ideas represent the membership or constituency of the NGO. This can be referred to as legitimacy by voice rather than legitimacy by vote (Van Roy 2004:138).

However, there are also democratic *pitfalls* associated with transnational civil society involvement. Participatory and deliberative democrats are rightly concerned about the elitist character of many transnational NGOs. When it comes to actual participation, there tends to be a bias in favour of well-educated middle-class activists from rich countries. The relative lack of participation from the “global South” is often stressed as a severe problem (cf. Nelson 2002: 150). Structural inequalities based on class, gender, nationality, ethnicity, and religion may be reproduced within transnational civil society.

Moreover, even if we focus on discursive rather than actual representation, there are potential problems. Proponents of representative democracy point out that many NGOs do not represent their claimed constituencies in a proper way. In some cases, there have been direct conflicts of interest between transnational NGOs and their claimed constituencies. Whereas transnational NGOs focusing on the abuse of women in the sex industry aim at abolishing

prostitution in order to save the “victims”, grassroots groups of “sex workers” have argued against being depicted as victims and instead called for the recognition of their human rights as sex workers. Similarly, there is a conflict between Western-based NGOs that strive to abolish of all kinds of child labour and organizations of child workers that hope to improve working conditions and stop the human rights abuses against child workers (Holzscheiter and Hahn nd).

Accountability

There are *promising* aspects of transnational civil society actors in terms of accountability as well. Some membership-based transnational NGOs hold regular elections for leadership positions, hence having the same electoral accountability as democratic states. Nevertheless, there are generally less formal accountability mechanisms applicable to NGOs than to other transnational actors. This, however, does not necessarily mean that NGOs are less accountable (Kovach 2006: 199). NGOs typically are better at consulting with less powerful stakeholders and the participatory qualities discussed above can be seen as a form of downward accountability.

Several transnational NGOs have themselves taken steps to increase their accountability (Anheier and Hawkes 2008: 138-140). Examples include the INGO Accountability Charter, signed by representatives of prominent advocacy-oriented transnational NGOs, including Amnesty International, GreenPeace, OXFAM, and Save the Children; the Global Accountability Project (GAP), run by the One World Trust; and the Code of Ethics Project, initiated by the World Association of NGOs. These initiatives typically include codes of conduct, improved transparency, and mechanisms for stakeholder monitoring and evaluation.

Despite such recent initiatives, the accountability of transnational civil society actors remains a potential democratic *pitfall*. Civil society groups typically operate very limited

internal accountability mechanisms (Scholte 2005: 106-7). Unlike governments in democratic states, the leadership of most civil society groups is not elected by any constituency, hence lacking the formal accountability mechanisms valued by proponents of representative democracy. Moreover, in terms of external accountability, the very broad and diffuse set of stakeholders risks undermining the notion of accountability, since being accountable to all means being accountable to no one (Bexell 2005: 137). This problem is amplified in more diffuse non-hierarchical networks that lack obvious power centres, where it is unclear who the power holders are as well.

Despite the claim that NGOs are accountable to less powerful stakeholders rather than to states and international institutions, downward accountability has often been neglected in practice (Ebrahim 2003). Traditional models of accountability tend to privilege powerful stakeholders and fail to address participatory aspects (cf. Kovach 2006: 197). Furthermore, most of the accountability initiatives taken by transnational NGOs themselves rely on voluntary mechanisms and lack any formal sanctions. Such self-regulatory mechanisms are seldom effective (Heinrich et al. 2008: 335).

Some observers have suggested that the increasing demands on transnational NGOs to improve their accountability – rather than the lack of accountability - constitute a democratic problem (Anheier and Hawkes 2008). Different conceptions of accountability can lead to conflicting expectations and undermine organizational effectiveness – what Koppell (2005) labels “multiple accountabilities disorder.” Furthermore, accountability often takes the form of technocratic mechanisms for supervision and control, while questions of what constitute *democratic* forms of accountability tend to be neglected.

We conclude this section by moving beyond civil society actors, to transnational corporations and philanthropic foundations. TNCs can be held accountable through national legal systems of host or home countries (and in some cases other countries too), but are often

able to escape this form of accountability at the national level. Given their global reach, TNCs can pick and choose between national regulations. TNCs also claim to derive their accountability from the market (shareholders and consumers), but this form of accountability depends on stakeholders having sufficient resources to make their preferences felt in the market (Bexell 2005: 129-131). Consumer choice is generally not an effective accountability mechanism, since consumer awareness and alternative choices typically are limited, and the people who are most directly and negatively affected by TNCs often are unable to exercise any consumer power (Kovach 2006: 198). An informal type of accountability mechanism is the monitoring of TNC activities by advocacy NGOs (Bexell 2005: 131). Self-regulation in the form of codes of conduct, and voluntary monitoring and reporting, manifested in the discourse on Corporate Social Responsibility, has become increasingly common in dealing with the accountability gap of TNCs. However, the lack of enforcement mechanisms leads to credibility problems (cf. Gulbrandsen 2008).

The logic of markets and the moral claims of civil society converge in philanthropic foundations, another distinct type of transnational actor this is of increasing significance in global governance. Although some IR scholars acknowledged philanthropic foundations already in the early 1970s (cf Bell 1971), it is just recently that we have seen a renewed interest in the role of the Rockefeller, Ford, Soros, and Gates Foundations, to mention a few of the most influential. Foundations are typically even less transparent than TNCs and transnational NGOs, participation is very limited, and the accountability mechanisms are few. Their claim to legitimacy rests very much on their performance – the highly valued activities that they sponsor – not their democratic qualities.

From this brief overview it should be clear that, despite much recent attention to the accountability of transnational actors, there are still substantial democratic deficits. Rather than just focusing on specific technical accountability mechanisms, which is the trend in

much of the literature reviewed here, we should try to understand accountability, as well as participation, in relation to different models of democracy. Participation requirements and accountability mechanisms applied to transnational actors should have a base in normative democratic theory.

Conclusion

This paper has initiated an inquiry into the promises and pitfalls of transnational actors in the democratization of global governance. Certain common promises have been identified across the three components of governance examined here. One is that increased participation can enhance democratic legitimacy. Another common promise is a potential to strengthen external accountability. With regard to pitfalls, international institutions, partnerships and individual transnational actors all face a challenge in participation often being unbalanced. In addition, external accountability may be compromised by the difficulty of establishing who the stakeholders are. Overall, we find that the vision of democratizing global governance through transnational actors is characterized by difficult trade-offs between different democratic values, such as inclusiveness vs. accountability, deliberation vs. transparency, participation vs. internal accountability, and representation vs. direct participation.

Based on our findings, we conclude this paper by outlining an agenda for future research. First, we believe that a combination of normative political theory and thorough empirical research is a fruitful path for further inquiry into the problems and potentials of democracy in global governance. At present, existing research tends to fall into one of two categories. On the one hand, there is a huge literature within the field of normative democratic theory that suffers from a shortage of empirical observations on actual processes. As a result, the *promises* of transnational actors as forces of global democratization are often exaggerated. On the other hand, there is a growing empirical literature on legitimacy and accountability in

global governance, which is rather technical and often lacks a firm base in democratic theory. As a consequence, the *pitfalls* of transnational actor participation are often exaggerated. In this paper, we have sought to arrive at a more balanced account of promises and pitfalls, by drawing on alternative models of democracy and reporting empirical patterns from the practices of global governance. This approach could be further developed in future research.

Second, we call for more ambitious comparative research. Existing empirical studies on transnational actors in global governance, on which we have drawn in this paper, are heavily dominated by single-case studies. There is a need for systematic comparisons across issue-areas, including not only cases from issue-areas where transnational activity is particularly prominent, such as trade, development, and the environment, but also from issue-areas where state interests circumscribe the room for transnational organization, such as health, security, and migration. An ambitious comparative design should also allow for the inclusion of cases from different parts of the world, hence avoiding the Northern or Western bias that characterizes much previous research on transnational organization.

Third, there is need for more elaborate research on different types of transnational actors. Whereas existing studies of transnational organization in global governance tend to focus either on non-profit actors (NGOs, social movements and advocacy networks) or profit actors (TNCs), we call for research on processes that involve the whole spectrum of transnational actors, and assess the democratic credentials of various types of actors. Different kinds of transnational actors play different roles in relation to international institutions and partnerships in global governance, and they do not necessarily have to be democratic in the same way and to the same extent. Generally speaking, the greater the impact of a governance arrangement or actor on people's living conditions and well-being, the more important that it is democratic. A more systematic categorization of transnational actors is necessary in order to further pursue this line of inquiry.

Fourth and finally, given the pitfalls we have identified in this paper, we also point to a need for broader dialogue on the role of global democracy as an overarching universal good in international relations. For example, is democracy beyond the state an intrinsic or instrumental value, that is, an end in itself or a means to achieve other ends, such as justice? This opens up for a discussion on the relationship between global democracy, other standards of legitimacy, and the role of values such as equity and justice in global governance (cf. Bohman 2005a: 115; Buchanan and Keohane 2006). Importantly, we must not presuppose the availability of consensual global governance that transcends conflict, power relations and hegemony. Rather, identifying patterns of conflict and consensus and their implications for democratic arrangements is an important research task, one that has long been central in democratic theory.

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