

## Chapter 2

# The Emergence of Civil Society Networks

### 2.1 Civil Society Networks

In Chap. 1, GCS was presented as a potential driving force behind the rise of common administrative standards for regulatory decision-making within the EAS and the global legal regimes. Chapters 2 and 3 further explore the nature of this participation in supranational decision-making, in particular the role of supranational networks of civil society. NGOs and other non-state actors may in fact cooperate through networks constructed by reference to their common interests and needs. Indeed, the terms “network” and “networking” are already widely used in a variety of disciplines, ranging from political, social, and legal studies. The works of Castells, Keck and Sikkink, and Slaughter, mentioned in Chap. 1, cover just a small portion of the academic literature on networks. Conceptually, networks offer a viable solution to qualify many structured linkages of interests and people. This ranges from civil society itself – described by Martin Shaw in terms of a network “of institutions through which groups in society in general represent themselves, both to each other and to the state”<sup>1</sup> – to governance partnerships, within which governments retain various strategic roles, communities of practice or hubs of knowledge. Significantly, in 1981 the Yearbook of International Organizations introduced a new category of organizations – those with “non-formal, unconventional or unusual structures” – in an effort to classify composed transnational networks. Increased focus on this topic, however, has not produced scholarly agreement on the understanding and descriptions of networks. Consider as an example, the radical changes that the notion of (issue) network has experienced over the last 40 years. In a seminal work published in 1978, the American political scientist Hugo Heclo theorised that a connection exists between the terms “issue” and network.<sup>2</sup> Heclo’s aim was

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<sup>1</sup> See M. Shaw, *Global Society and International Relations*, see chapter 1 n 68, at 647.

<sup>2</sup> See H. Heclo, *Issue Networks and the Executive Establishment*, see chapter 1 at section 7.1.

to problematise, and indeed criticise, a new form of political organisation that had risen in Washington D.C., during the administration of Jimmy Carter. According to Heclo, NGOs – or “issue-activists” as he termed them – were forming loose alliances in which they defined political affairs by sharing information about them. A worrisome phenomenon, noted Heclo, because it was bound to alienate the broader public from public affairs, and eventually weaken American democracy. Today, the common understanding of issue networks is positive. These denote forms of organisation that are compatible (or may even be instance of) liberal democracy.

Returning to Keck and Sikkink, there are essentially three types of structured linkages: those with essentially instrumental goals (e.g. transnational corporations or banks); those motivated primarily by shared causal ideas (e.g. scientific groups); and those motivated primarily by shared principles (which fit the description of transnational advocacy networks). Similar to the latter account is that of Wolfgang Reinicke (2001), who speaks of “global public policy networks” in which businesses, NGOs and other civil society actors, as well as governmental agencies and IOs are comprised. Paul Craig identifies three typologies of networks, and distinguishes them according to their role. These are “enforcement networks”, which are designed to render enforcement more efficacious across international boundaries; the “information networks”, which are aimed at the exchange of information between governmental agencies; finally, the “harmonization networks”, which are created to foster closer uniformity in regulatory standards.<sup>3</sup> Other scholars have expanded the concept of networks. Walter Powell (1990), for instance, defines networks as a third mode of economic organization, distinguishing them from hierarchies (because “networks are lighter on their feet”) as well as from markets (because “networks are part for the exchange of commodities whose value is not easily measured”). Grainne de Burca, Robert Keohane and Charles Sabel concur.<sup>4</sup> In their description of three modes of pluralist global governance, networks are located between the second and the third modes. The first mode of governance actually involves the creation of comprehensive and integrated international regimes. It is therefore characterized in terms of a principal-agent model: the nation-states are considered the principals, whereas the agents consist of the international regimes created by nation states. The WB, the Bretton Woods Monetary Regime, and the WTO are worthy ideals of this mode of governance. The second mode of governance illustrated by de Burca, Keohane and Sabel features a departure from hierarchy as a structured principle of IOs, replaced by the spread of forms of networked information exchange. Thus, in mode two, it is the network of connecting entities, rather than the entities themselves, that represent the expression of governance. Examples of mode two can be found in regime complexes (described by Raustiala and Victor as “partially overlapping and non-hierarchical institutions governing a particular issue area”) and GAL. The former are also a substantial part of mode

<sup>3</sup>See P. Craig, “Global networks and shared administration”, in S. Cassese et al. (ed.), *Research Handbook on Global Administrative Law* (Cheltenham, Edward Elgar, 2016).

<sup>4</sup>See G. de Burca, R.O. Keohane, C. Sabel, *New Modes of Pluralist Global Governance*, see chapter 1 at section 3 and chapter 3 n 15.

three of governance, further described in terms of “Experimentalist Governance”. This, in the words of the authors, consists of a “a set of practices involving open participation by a variety of entities (public or private), lack of formal hierarchy within governance arrangements, and extensive deliberation throughout the process of decision making and implementation”. Illustrations of experimentalist governance include the Inter-American Tropical Tuna Commission, the UN Convention of the Rights of Persons with Disabilities, and the Montreal Protocol on Substances Depleting the Ozone Layer. With these capacities, networks have proven useful also for describing endeavours as diverse as international business, transnational organized crime, and international terrorism. Finally, many other scholars have understood networks mainly as dynamic, open, and voluntary loose associational structures.<sup>5</sup> In particular David Singh Grewal (2008) and Jeffrey Juris subscribe to this notion. According to Grewal networks are “interconnected groups of people linked to one another in way that makes them capable of beneficial cooperation, which can take various forms, including the exchange of goods and ideas”. In the opinion of Jeffrey Juris (2008), activists follow a “cultural logic of networking” when they generate concrete networking practices. Juris’ logic of networking includes “(1) the building of horizontal ties and connections among diverse autonomous elements, (2) the free and open circulation of information, (3) collaboration through decentralised coordination and consensus-based decision making”.

This volume uses these propositions as a point of departure. However in an effort to avoid confusion or overlapping with similar definitions used to describe civil society actors’ groups and associations that often differ dramatically in the context of their organization or goals, the term “network” will not be used to describe civil society groupings. Those will be referred to as “interlocutory coalitions” (IC). Obviously, the word “coalition” is not brand new. Carlo Ruzza (2006), for instance, theorised the “movement advocacy coalitions” – i.e., institutionalised social movements organisations active at the EU level and involved into stable or semi stable coalitions with sectors of left-liberal parties. But in this volume, the definition of IC is used only in the context of a single organizational model of network. The ICs as theorized in this book are situated in the between of the pluralist and globalist schools of thought described by William de Mars in classifying scientific literature on civil society actors (and specifically on NGOs).<sup>6</sup> The pluralist approach describes the approach from civil society to world politics in terms of a cumulative impact;

<sup>5</sup> See, for instance, H. Compston, *Policy Networks and Policy Change: Putting Policy Network Theory to the Test* (London, 2009); G. H. McCarthy, P. Miller, P. Skidmore (eds.), *Network Logic: Who Governs in an Interconnected World?* (2004) available at [www.demos.co.uk/catalogue/networks](http://www.demos.co.uk/catalogue/networks); T. Borzel, “Organizing Babylon – On the Different Conceptions of Policy Networks” (1998) 76 *Public Administration* 253; K.G. Provan, H.B. Milward, “Do Networks Really Work? A Framework For Evaluating Public-Sector Organizational Networks” (2001) 61 *Public Administration Review* 4; A. Aviram, “Regulation by Networks” (2003) *Brigham Young University Law Review* 1179; C. Heckscher, “Organizations, Movements, and Networks” (2005–2006) 50 *New York Law School Law Review* 313. See also the 2002 UN Development Program, which has counted 20,000 international networks of NGOs.

<sup>6</sup> See W.E. de Mars, *NGOs and Transnational Networks*, see chapter 1 at section 6.2, at 37.

whereas in the globalist approach civil society is regarded as a way to implement and enforce global norms. In describing the ICs, this book builds upon pluralism in recognizing the importance of societal partners and networking as a tactic for GCS' actors. But it also draws from globalism, in that it focuses on the influence that GCS exerts on norms and IOs at the global level.

### ***2.1.1 The Factors Behind the Emergence of Supranational Civil Society Networks: Global Issues***

Before proceeding with a detailed account of the composition and activities of the ICs (Chap. 3), the present chapter will explore the factors that drive their rise. There are many and diverse factors that drive the emergence of coalitions of civil society actors, both in a direct and indirect manner. Seven factors are key: (1) the global nature of problems dealt by civil society (2) the diffusion of technology; (3) the globalisation of media; (4) the dramatic increase of transportation of goods and people around the world; (5) an increasingly globalised higher education; (6) the recent evolution of fundraising; (7) and, finally, but decisively, the benefits for both non-state actors and IOs that result from joining into a network.

The first factor influencing the birth of supranational coalitions of civil society actors was touched upon, albeit indirectly, in Chap. 1 in the preliminary description of GCS and assessment of the weight of civil society actors at the supranational level. This is the dramatic increase in problems of global rather than just local dimensions, such as environmental protection, labour rights, women's rights, and human rights. Some of today's most pressing problems, observes Robert Howse (2008), are problems that can only be solved by the coordinated exercise of sovereignty. This is why issues of global dimensions have produced transnational activities and cooperation. Civil society's activists increasingly liaise with colleagues from different organizations, located in places far away from their offices, but with the same goals towards a specific issue. An incredible number of websites and self-promoted initiatives from all around the world have spread, and continue to spread, via the web to explain how global issues are developing, to suggest solutions, to call for action and to demand for collaboration with governments and IOs.

Take the case of tropical deforestation, one of the major global issues to have occupied international debate in the last decades. The term "tropical deforestation" entered in the environmental debate only in the early 1970s. Prior to that, neither international conferences, nor academic debate mentioned this issue. The situation changed when ozone and climate change brought awareness into public debate, and gave new urgency to environmental concerns like deforestation. In 1974 the WWF considered the protection of tropical rainforests as the most important nature conservation objective of the decade. Shortly after, US President Carter declared tropical rainforests a global issue, which were followed by stronger conservation efforts by the Reagan Administration. By the end of the 1980s, deforestation had become

the epitome of third world environmental problems: and a global issue had emerged. Similarly, the issue of violence against women did not receive international recognition until the early 1980s, and only became an object of UN activity from 1985 onwards. However, by the 1990s, having global standing, the issue was considered amongst the most important international women's issues. It received significant institutional support and was advocated in increasing numbers by civil society actors, both domestically and internationally. As early as 2000, the UN Entity for Gender Equality and the Empowerment of Women (UN Women) estimated that over 60 initiatives to tackle the gender gap (including violence against women) were on-going around the world. In the EU alone, in addition to the principles enshrined in the Treaties, gender equality is addressed in 15 European Directives adopted between 1975 and 2010, as well as a great number of the EU's strategic documents (e.g. the EU 2020 Strategy). The increased global recognition of issues such as labour rights, international terrorism, and global diseases resemble the pattern of emergence described for tropical deforestation and violence against women.

The globalization of governance issues makes an interesting point about the power of GCS. As long as matters of governance (e.g. security) concern only international public actors, civil society actors are at comparative disadvantage. But as soon as global issues begin to dominate the international agenda, civil society actors active in their respective fields gradually succeed in making their voices heard at the international level. This happens because states are considered unable to deal effectively with transnational problems, while civil society offers an alternative that may bypass state institutions altogether. Perhaps demonstrating this point, in 1995 Archibugi and Held (1995) proposed reforms to the UN General Assembly, where people, rather than nation-states, should be represented. In the authors' opinion the "People's Assembly" would represent individuals on the basis of "one person, one vote" and, most importantly, would only consider global issues.

Supranational regulators are aware of the tight bounds that make issues around the world connected and interdependent, and therefore of global concern. An illustration of this awareness is the section of the UN website dedicated to "Global Issues". This section offers an overview of some of the global issues that engage the efforts of the UN. These include safeguarding peace, protecting human rights, establishing the framework for international justice and promoting economic and social progress, the organisation of Olympic Games, the fight to climate change, international terrorism and AIDS. Other examples come from the World Economic Forum and the Union of International Associations. Since 2006 the World Economic Forum has published "Global Risks", a report highlighting global risks that can be systemic in nature, and are capable of causing breakdowns of entire systems and not merely their component parts.<sup>7</sup> In such reports, the assessed risks are considered global in nature insofar they have the potential to cause significant negative impact across entire countries and industries. The risks are grouped under five classifications – economic, environmental, geopolitical, societal and technological – and

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<sup>7</sup> See Global Risk 2014, available at [www3.weforum.org/docs/WEF\\_GlobalRisks\\_Report\\_2014.pdf](http://www3.weforum.org/docs/WEF_GlobalRisks_Report_2014.pdf)

measured in terms of their likelihood and potential impact. In turn, from 1976 to 1995, the Union of International Associations, a well-known institute devoted to research on international associations and organizations, published an “Encyclopaedia of World Problems and Human Potential”. This is the result of an ambitious effort to collect and present information on the problems facing humanity, as well as the challenges posed by such problem.

### 2.1.2 *The Diffusion of Technology*

A second, and decisive, factor driving the emergence of networks of civil society actors at the supranational level relates to the diffusion of technology. The widespread use of technology has decreased the costs of trans-boundary communications, including the costs of phone calls, postal services and faxes, providing means for non-state actors to communicate with greater frequency. The use of Internet has allowed NGOs to coordinate global campaigns to an extent that would have been impossible even as recently as 20 years ago. New forms of organization via the Internet have enabled the recruitment of previously inactive citizens into social participation and civic action. As a result of global communication systems, proximity now appears unimportant for social interaction, as well as for political and economic organization. As Marshall McLuhan (1962) theorized in the 1960s with the idea of the “Global Village”, the advancement in the fields of science and technology have contributed to the shrink of the world into a village.

To understand the relevance of technology to non-state actors one might consider the Report on Global Trends in the Not-For-Profit Sector.<sup>8</sup> According to the report, in the US 73 % of the non-profits have technology budgets in place. In New Zealand the number is 69 %, while in Australia 68 %, and in Canada and UK 64 %. In Germany, The Netherlands and France the technology budgets in place in non-profits are, respectively, 61 %, 44 %, and 34 %. The 2009 John Hopkins Non-profit Listening Post Project similarly found that the majority (88 %) of non-profit actors surveyed reported that technology is integrated into many (if not all) aspects of their organization; that (86 %) their organization used technologies “sophisticated” or “moderately sophisticated”; that (96 %) had an organizational website and were connected to the Internet (97 %).<sup>9</sup>

Needless to say, early commentators have regarded the spread of new technologies in civil society’s activism with enthusiasm. Back in 1841, François-René de Chateaubriand wrote that technological advances could be expected to bring about an international society. Few years before this, in 1827, Jean Charles Léonard de

<sup>8</sup> See Global Trends in the Non-Profit Sector, Report 2012, available at [www.grantthornton.co.nz/Assets/documents/pubSeminars/GTI-Not-for-Profit-Sector-Industry-Report.pdf](http://www.grantthornton.co.nz/Assets/documents/pubSeminars/GTI-Not-for-Profit-Sector-Industry-Report.pdf)

<sup>9</sup> See S.L. Geller, A.J. Abramson, E. de Leon, *The Nonprofit Technology Gap. Myth or Reality?*, Johns Hopkins University – Center for Civil Society Studies, available at [ccss.jhu.edu/wp-content/uploads/downloads/2011/09/LP\\_Communique20\\_2010.pdf](http://ccss.jhu.edu/wp-content/uploads/downloads/2011/09/LP_Communique20_2010.pdf).

Sismondi (1827) in the *Revue Encyclopédique* celebrated the acceleration of communications that brought the disappearance of distances and sped up the circulation of thought. In addition, the organizers of the international congresses of the early and mid-nineteenth century used to celebrate such progresses in technology. In 1999, Scott Kirstner (1999) from Wired magazine in the article “Nonprofit Motive” reported “The new breed of Silicon Valley Philanthropists would make Mother Teresa crunch the numbers”. The article echoed the excitement that surrounded the spread of the upcoming global-scale use of the Internet. Those arguing that technologies, and particularly the Internet, were transforming civil society’s activism came from the upper echelons of politics, journalism, public policy, and social sciences. The web, argued the enthusiasts, would provide a low-cost and adaptable “platform” where civil society activists could rapidly acquire information, engage in peer-to-peer conversations, share their knowledge, and therefore maximize the results of their efforts. Flowery dot-org fantasies suggested that an epochal shift was about to be realized. At the national level, the Internet seemed to have the capacity to open up the world to users even in shut-in places, and could erode dictatorships. In a famous 1997 judgment, the US Supreme Court emphasized the potential of Internet, arguing that “through the use of chat rooms, any person with a phone line can become a town crier with a voice that resonates farther than it could from any soapbox”.<sup>10</sup> At the supranational level the promise was even greater. The Internet, it was suggested, would enable civil society actors to operate on a global scale, profoundly impacting on the spread of democratic values in trans-national policy-making.

Undoubtedly, the proliferation of the Internet on a planetary scale has contributed to some of the largest advancements in democracy, social activism and advocacy. The increased availability of high-speed connections, the expansion of mobile-based services, media-rich, real-time data sharing, and voice-data communications have enhanced the potential of civil society. In the age of “global collaboration”, information is disseminated online, awareness and engagement are fostered through social networks, and advocacy relies on a heavy usage of web-related tools. Early examples include the use of slide show in 1990s by the Congo Reform Movement to campaign for human rights<sup>11</sup>; and the 1990s International Campaign to Ban Landmines was almost entirely a web-based endeavour (ironically, due to the fact that coordination of actions and exchange of views and information between the participants to the campaign had been entirely done through the web, when in 1997 the campaigners were awarded the Nobel Peace Prize, they were forced to create a bank account in order to be transferred the money). Also during the 1989 Chinese Revolution, Chinese activists avoided the tight controls on telecommunications systems set up by the Chinese government by using fax machines. Another example is the 2007 mobilization against the military junta in Myanmar. The first demonstrations were filmed with video cell phones and immediately uploaded on

<sup>10</sup> See *Reno v. ACLU*, U.S. 521 (1997).

<sup>11</sup> See S. Sliwinski, “The Childhood of Human Rights: Kodak on the Congo” (2006) 5 *Journal of Visual Culture* 333.



YouTube. These videos soon went viral and made their way to the front line around the world. By the time the dictatorship closed down all Internet providers and cut off mobile phones operators, the brutality of the regime had been globally exposed.

Meanwhile, online political organizations and petitions platforms have attracted millions of members, raised tens of millions of dollars, and campaigned for a vast array of issues. Examples include the US based left-leaning group MoveOn.org and Change.org, introduced in Chap. 1 of this volume, the world's large petitions platform with 70 million users in 196 countries. Also discussed in Chap. 1 is the case of Avaaz, an online community involved in campaigning, signing petitions, funding direct actions, emailing, calling and lobbying governments in 15 languages, served by a core team on six continents and thousands of volunteers. Avaaz became internationally recognized after the Bali Climate Change Conference in 2007, which was credited by the Canadian delegation as changing their position on climate change.<sup>12</sup> Finally, smaller initiatives include iPetitions and Petitions Online.

Other consequences of the massive use of technology will be discussed in Sects. 2.3 and 2.6. However as a brief introduction here, we can say that the massive use of technology has encouraged the rise of a range of web-based media outlets thanks to which information has become widely accessible to the world population; and, in the second place, it has promoted networked fundraising strategies from no profits around the world. In terms of the former, globally spread and accessible information indirectly strengthens the process of formation of partnerships between civil society actors. Knowledge and information are in fact essential to the activities of civil society's networks. Technology is also important in developing networked fundraising strategies. Being part of a network with strong technological assets, in fact, potentially duplicates the opportunities to receive donations. For most non-profits, email marketing and websites are now the primary and the most important marketing platforms, while the relevance of mediums such as SMS's and paid advertising have decreased significantly over the last 10 years. That is not all. A large majority of non-profits are now actively allocating budgets towards technology, so that they can improve their visibility to donors, generate awareness about their causes and improve their fundraising abilities.

Despite this, the current state of technology available to non-state actors does not resemble the revolution celebrated by the fanatics of a digital democracy. At the supranational level, the vulgate of a widespread, democratic, decentralized and virtual network of non-state actors capable of promoting global values is little more than fable. Supranational activism has not yet given birth to the non-hierarchical and self-organizing meshwork sketched by Wendy Harcourt (2003), nor has it generated the virtual communities described by Howard Rheingold (1993) as "caretakers of electronic public space". At the domestic level trends relating to avenues for political engagement other than political parties are equally concerning. Consider the following. Of 49 democracies surveyed by the World Forum for Democracy in 2013, 40 saw turnout decline in elections to national Parliaments between 1980–

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<sup>12</sup> See the official report of the event from Avaaz available at [www.avaaz.org/en/bali\\_report\\_back/](http://www.avaaz.org/en/bali_report_back/)



1984 and 2007–2013.<sup>13</sup> The World Forum for Democracy reports that on average turnout declined by 10 percentage points across these 49 countries. Further, The World Values Survey explains that those who reported having a “great deal” or “quite a lot” of confidence in political parties dropped from 49 % in 1990 to 27 % in 2006. Between 1990 and the late 2000s, decreases were also reported in matters such as the willingness of individuals to engage in activities such as signing a petition or attending a demonstration. Those who reported that they might, or have already, signed a petition, dropped by 20 percentage points, from 76 % to just over half, at 56 %. Over the same period of time, those who said they had or might participate in a political demonstration dropped from 62 % to 51 %.<sup>14</sup> Furthermore, in spite of the dramatic expansion of the Internet, important differences in the access to the Net remain between white, educated, Western citizens and those defined as “disadvantaged groups” (the poor, the elderly, the undereducated, and those in rural areas, not to mention those living in Countries where the access to the Internet is controlled by the government).

The contrast described above between the benefits provided by technologies to civil society activists and organization, and its limits (in terms of digital-divide and insufficient engagement from individuals) can be taken to mean two different things. On the positive side, it is crucial to the birth of civil society’s networks. Given that technology is a vector for supranational activism, effective networks would not exist without the role it plays in communication, logistics and strategies. They attract the type of citizens that Lance Bennett (2008) would describe as “actualizing citizens” – people that are distrustful of traditional forms of authority and are inclined to adopt more privatized responses to changing social circumstances – and would oppose to “dutiful citizens” – to whom involvement in civic life is an obligation to be fulfilled through conventional activities, such as voting. On the negative side, technologies reveal the restrictions of networks and more generally of GCS, because they have not fulfilled the promise to make GCS even more global. In this sense, having come to terms with the limits of modern technologies, future developments of civil society coalitions may well be depended on a broader set of factors. Chief among them, as will be discussed in the following sections, are globalized media and transportations, the diffusion of knowledge, as well as economic and practical reasons.

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<sup>13</sup> See A. Clarke, “Exploiting the web as a tool of democracy: new ways forward in the study and practice of digital democracy” (2013) *World Forum for Democracy Issues Paper*, available at [www.coe.int/t/dg4/cultureheritage/news/wfd/study\\_en.pdf](http://www.coe.int/t/dg4/cultureheritage/news/wfd/study_en.pdf)

<sup>14</sup> See World Values Survey, 2014, available at [www.worldvaluessurvey.org/wvs.jsp](http://www.worldvaluessurvey.org/wvs.jsp)

### 2.1.3 *Globalized Media*

Technological advancement has not only shattered social boundaries and transformed the activism and organizational models of GCS. It has also impacted the landscape of mass media. Because of this, the media can be considered the third factor that is (indirectly) driving the tendency to a networked civil society. Media is the only source that is easily accessible by all walks of people through various electronic appliances (i.e., TV, Radio, Internet, News Papers, tablets and mobile phones). Nayan Chanda (2007) offers a powerful example to illustrate this: back in 1453, it took 40 days for the Pope to learn that Constantinopolis had fallen to the Turks. In 2011, the destruction of the Twin Towers of the World Trade Center in New York was broadcasted on television, in real time, all over the globe.

Historically governments have always succeeded in monopolizing information or in effectively preventing trans-border communication. It was with the emergence of international news agencies in the nineteenth century, such as Reuters, that a global system of news codification emerged and, accordingly, state control of informational flows begun to erode. Until the 1990s, however, mainstream media systems in most countries remained relatively national in scope. It has only been since the second half of the 1990s that communication media have become increasingly global, extending their reach beyond the nation-state to conquer audiences worldwide. The production, distribution and consumption of an increasing number of media products now take place in a transnational context.<sup>15</sup>

Of all the changes in the media environment that have occurred since 2000, the growth of digital media is arguably the biggest. Blogs, citizen's journalism, and participatory journalism are among the most appealing new features of the informational landscape. As of 2013, the blog search engine Technorati had tracked more than 133 million blogs.<sup>16</sup> More than 346 million people globally read blogs published in 81 languages, and 900,000 blog posts are generated in an average 24 h period. Dissemination of information through digital and participatory channels has partly replaced what bloggers derisively term the "elite media". People have access to information and are given the opportunity to contribute to the formation of collective knowledge. "Electronic means", explain Weiss and Gordenker (1996) in addressing the emerging scene of world public opinion making, "have literally made it possible to ignore borders and to create the kinds of communities based on common values and objectives that were once almost the exclusive prerogative of nationalism". To the point that, adds Benkler (2006), in the information economy the primary raw materials have become the information, the knowledge and the culture. In this new scenario, that Benkler calls the "networked information economy", the roles of "sender" and "receiver" are far less clearly divided than in the

<sup>15</sup> This is called the "third age of political communication" by J.G. Blumler, D. Kavanagh, "The Third Age of Political Communication. Influences and Features" (1999) 16 *Political Communication*.

<sup>16</sup> See the 2013 Technorati Report, available at [www.technorati.com/wp-content/uploads/2013/06/tm2013DIR2.pdf](http://www.technorati.com/wp-content/uploads/2013/06/tm2013DIR2.pdf).

traditional media landscape. In addition to empowering the formerly voiceless, the new media have given consumers of political information a broader menu to choose from, contributing to a more competitive marketplace of political ideas. Yet, the more the availability of information has spread, the more a need for a filter that can mediate and organize the informational flow is needed. Networks are also created out of this necessity.

### ***2.1.4 Globalized Transportations of Goods and People***

The dramatic increase in travel and transportation of goods and people around the globe should be mentioned as being a fourth powerful factor in shaping and facilitating the rise and influence of the ICs. Objectively, distances in the current world are shorter than ever before, and positively affect both goods and people. In the case of goods, the latest data available from the Global Transportation Forum reports a 2,4 % growth in world export volume in 2013, same pace as 2012; a 5 % growth in world container traffic; and a 1,4 % increase in airfreight tonne-km, a reversed trend from 2012 contraction. But globalization of mobility is especially evident with the mass movement of people. With modern transport, no two cities in the world are any more than about a day's travel apart. And costs are lower, too. In 1997 the Air Transport Association reported that the constant dollar yield of airline tickets 2 years earlier, in 1995, was one half of what it was in 1966, while the number of international passengers increased more than four times in the same period.

The decline in airfares, together with the convenience of modern transport, has shifted international travel beyond the exclusive privilege of the wealthy. Around the world it is estimated that 200 million people currently live and work outside of their country of origin. According to the 2008–2009 Global Information Technology Report an overall of 200 million people live and work outside of their country of origin.<sup>17</sup> This is reportedly a phenomenon on the increase. The OECD countries alone host some 75 million migrants (persons having adopted a residence outside of the country where they were born). The availability of talented knowledge workers in coming years is not expected to grow as fast as the global demand for their skills. In such a situation, mobility (understood as both physical, e.g. through temporary or permanent migrations, and virtual, e.g. information networks or virtual teams across networks) is key for narrowing the existing gap between supply and demand.

In the present situation, fast-growing countries attract the most migrant workers in sectors such as construction or domestic services. In many cases, however, such movements are compounded by significant in-flows of highly skilled foreign workers (“expats”) providing services as consultants or managers in local or international businesses, and sometimes in government (a country such as Qatar, for

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<sup>17</sup> See V. Ivaturi, B. Lanvin, H. Mohan, “Global Mobility of Talents: What Will Make People Move, Stay or Leave in 2015 and Beyond?” *Global Information Technology Report 2008–2009*, available at [www.insead.edu/v1/gitr/wef/main/fullreport/](http://www.insead.edu/v1/gitr/wef/main/fullreport/)

example, has a population of about one million, of whom only 20 % were born in Qatar). Migrations of workers affect both economics and societies. Companies located in countries less equipped with the ability to produce enough scientists and engineers (such as China, Spain, Italy, or smaller European economies) are likely to continue paying a premium to attract necessary talent, while pressuring their respective governments to adopt measures to attract a greater presence of foreign workers. In turn, attracting the necessary numbers of skilled workers require governments to address social and cultural factors at the root of their systems. Improvements to domestic educational systems might be an example of this.

The globalization of transportation and global mobility has impacted upon GCS and its organizations in numerous ways – although two stand out as the most significant. The first regards physical mobility. The reality that travelling costs have significantly reduced over the last 10 years has had direct effect on non-state actors mobility. The Union of International Organization Yearbook reports that in 2012, 392,588 official meetings were held in 167 Countries and 1,374 cities. Carnegie Europe reports that between 2010 and 2014 the President of the European Council and the President of the European Commission had cumulatively 339 official visits (including participation in multilateral summits and bilateral visits). The EU has about 140 delegations, second only to the network of the three biggest EU member states: France, Germany and UK.<sup>18</sup> The second major consequence of global mobility for GCS is virtual. Many of the leaders of civil society movements have been educated abroad, and have gained work experience around the world. Building from this background, their visions of advocacy and lobbying are based upon massive networking efforts carried out on a global scale.

### ***2.1.5 The Globalization of Education and Knowledge***

A fifth catalyst of a networked GCS is globalized knowledge. This “faculty club culture”, as Peter Berger and Samuel Huntington (2002) have called it, the “cultural internationalism”, to borrow the definition from Akira Irye (1997), or the “pluralistic security communities”, as Karl Deutsch (1957) described collective identification processes, nurtures its beliefs chiefly through the educational systems. The quantitative and qualitative growth of cross-border partnerships among public and private universities and think tanks has become the epicentre of a vigorous scientific debate over globalization and civil society. The number of examples is vast. Chapter 1 introduced the case of the Global Alliance for Liberal Arts, a network of 16 universities from Europe to Asia, committed to joint teaching programs, the development of collaborative research and offering opportunities for staff and students to move between them. Other cases include the Worldwide University Network, an organization that uses the combined resources of its members, 17 research institutions spanning 5 continents, to achieve collective international objectives and to

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<sup>18</sup> See S. Lehne, I. Tseminidou, *Where in the world is the EU?*, see chapter 1 n 17 and n 28.

stretch international ambitions<sup>19</sup>; the University Global Partnership Network, a multilateral network of 5 universities from Europe, US and South America, collaborating in research, learning and teaching to “benefit global society”<sup>20</sup>; the Global Research Council, a virtual organization, comprised of the heads of science and engineering funding agencies from around the world, and dedicated to promoting the sharing of data and best practices for high-quality collaboration among funding agencies worldwide<sup>21</sup>; and, finally, eLabEurope, an European think tank that in 2015 launched “The Good Lobby” – a project aimed at creating a platform to connect professionals across different disciplines to support civil society organisations in need of professional services.<sup>22</sup>

Thousands of conferences, research projects, and teaching programmes gather an increasingly developed network of students and scholars from all over the world. New modes of transportation and communication have facilitated mobility among students, scholars, and knowledge itself. Mobility, in turn, has allowed students (at least elite students) to move fluidly across institutions, while open access has made it possible for non-elite students to seek higher education *en masse*. In the inaugural Online College Students report, released in 2012 by Learning House, 80 % of surveyed students said they enrolled in fully online programs at institution within 100 miles from where they live. In 2014, only 54 % said the same.<sup>23</sup> This is largely driven by graduate students, 48 % of whom said they prefer to study at an institution more than 100 miles away from home. Moreover, 72 % of surveyed students declared that their primary motivation for studying online were related to their careers. In 2014 the Harvard Business Review confirmed this assumption.<sup>24</sup> The survey on the top 100 CEOs in the world explicated that 61 % of those have been college educated outside their country. In many respects, college graduates have become the principal drivers of economic development for nations. These “communities of thought” share their expertise and information to design and build infrastructure, to establish healthcare and education systems, to create jobs across all sectors of the economy, and to make agriculture sustainable. Scholarly exchanges form common patterns of understanding of public policies and connect politically allied countries to build technical expertise and system capacity.

Accordingly, higher education is undergoing a rapid transformation propelled by a confluence of factors. Those include fluctuating enrolments and funding resources associated with global economic booms and busts and increasing demands for applied science, technical expertise, and innovation. Neoliberal views of university believe that strategies of internationalization will render the institution place-less, that new forms of digital learning will make physical campuses obsolete; that virtual media will enable students to download lectures wherever they may be, even if

<sup>19</sup> See generally [www.wun.ac.uk](http://www.wun.ac.uk)

<sup>20</sup> See generally [www.ugpn.org](http://www.ugpn.org)

<sup>21</sup> See generally [www.globalresearchcouncil.org](http://www.globalresearchcouncil.org)

<sup>22</sup> See generally [www.elabeurope.eu/thegoodlobby](http://www.elabeurope.eu/thegoodlobby)

<sup>23</sup> The report is available here [www.learninghouse.com/ocs2013-report/](http://www.learninghouse.com/ocs2013-report/)

<sup>24</sup> See [www.hbr.org/2013/01/the-best-performing-ceos-in-the-world/ar/1](http://www.hbr.org/2013/01/the-best-performing-ceos-in-the-world/ar/1)

they have no intention of completing a course. In neoliberal views of universities private investments supplement – or supersede – public funding as higher education and corporate industry become “synergized”. All these changes, it is predicted, will make “the global university” of the future more cost-effective and serviceable in a competitive knowledge economy.<sup>25</sup>

How does a globalized higher education – and a consequently globalized knowledge – influence the growth of GCS’ networks? In two ways. The first was just discussed. The globalization of knowledge creates the conditions for a growing number of interactions between students, scholars, universities, think tanks and other centres of cultural activity. The globalization of knowledge is also important in shaping the identity of future civil society leaders – leaders who are increasingly educated in the same universities, and who have been taught to share the same set of values and vision of the world – values and vision that they will most likely promote throughout their professional lives. Such leaders-activists are not celebrities in the sense we commonly understand celebrity. According to Andrew Webster (2009) “these people are faceless, even odourless in some sense, at least in the context of the media”. Yet global activists-leaders compensate this facelessness by being a precious resource for both GCS and the ICs. They gain specialist knowledge of their subject; and they gain skills in presenting their cause to the public and to the media. Considerable examples are those provided by Nyaradzayi Gumbonzvanda, Board Chair and Chair of the Executive Committee at CIVICUS; Wael Hmaidan, director of CAN since April 2012; Cyril Ritchie, President of CONGO between 2010 and 2014; Stephen Barnett, Director of the Euclid Network; and Rayyan Hassan, Executive Director of the NGO Forum. All of them, albeit in different ways, are perfect illustrations of contemporary leaders in a globalized world. First, they all attended elite universities – Wael Hmaidan graduated with an executive MBA from INSEAD, Stephen Barnett attended the College of Europe, where he graduated in European Studies – or are somewhat linked with academia: Rayyan Hassan, for example, before joining the NGO Forum was senior lecturer at the East West University in Bangladesh. Second, they gained considerable experience in advocacy for GCS at the international level. Cyril Ritchie, for instance, served in a number of management roles. To name but a few: he was Vice President of the Union of International Associations, President of the International Civil Society Forum in Doha, and from 2000 to 2008 President of the CINGO Grouping “Civil society and democracy in Europe”. Ritchie currently serves as the President of the Federation of International NGOs in Geneva, and as member of the Steering committee of the UBUNTU World Campaign for in-depth Reform of International Institutions, based in Barcelona. Alongside her position at CIVICUS, Nyaradzayi Gumbonzvanda leads the World YWCA (another global organisation whose core mission is to enhance women leadership). Previously, she served on Boards of Action Aid International. As well as working GCS’ activists, current leaders of civil society also matured as entrepreneurs (Hmaidan for example founded IndyACT, an

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<sup>25</sup> See *Universities 2030: Learning from the Past to Anticipate the Future*, available at [www.globalhighered.files.wordpress.com/2014/04/universities-2030-final-for-posting.pdf](http://www.globalhighered.files.wordpress.com/2014/04/universities-2030-final-for-posting.pdf)

organization that started in Lebanon in 2007 and now is spread all over the Arab World and Europe), or consultants for international organizations. It is the case of Barnett, who worked with local and regional authorities, EU institutions and stakeholders in various contexts, including the Europe 2020 Strategy and the “European Semester” for policy coordination across EU Member States. And it is again the case of Gumbonzvanda, who served for 10 years with the UN, both UNICEF in Zimbabwe and Liberia and subsequently with UNIFEM, now UN Women, as Regional Director for East and Horn of Africa. The list of examples could extend much further. Kumi Naidoo, who perhaps needs no introduction, before becoming international executive director at Greenpeace, served 10 years as secretary general at CIVICUS. He also leads the Global Call for Climate Action, a network that is bringing together environmental, aid, religious and human rights groups, labour unions, scientists and others to advocate on climate negotiations. Jacqueline Hale, currently member of the governing board of the HRDN, is a graduate from the University of Cambridge, worked in the United Nations and the European Parliament, as well as for no-profits as Open Society Institute, while she currently serves as head of the advocacy of Save the Children in Brussels. The Nobel Peace Prize is a further example. Since 1974 it has often been awarded to individuals closely associated with an NGO cause. Among the civil society leaders who were acknowledged the Nobel Prize for Peace there is Sean MacBride, the President of the International Peace Bureau, Andrei Sakharov, who campaigned for human rights in the Soviet Union in 1975, Mother Teresa of Calcutta, Lech Walesa, and the Guatemalan campaigner for indigenous peoples’ rights: Rigoberta Menchu Tum.

### ***2.1.6 Networked Fundraising***

Fundraising is another factor driving the emergence of networks of GCS. Not incidentally, a discussion of resources initiates most scholarly work on interest group coalitions. Scholars maintain that networks serve as an economical and efficient means to form more powerful advocacy blocs. Obviously, no civil society actor can continue to exist for long without the generosity of donors. Fundraising is at the foundation of any not-for-profit activity. On the one hand, the increased number and visibility at the international level of GCS’ actors has augmented the accessibility to donations (both from the private and the public sector). Even without precise and comprehensive figures, and considering that non-profits around the world faced a major funding crunch during 2009–2010 due to the global economic slowdown, available data suggests a significant economic scale of not-for-profit fundraising activities. According to OECD estimations, NGOs operating at the international level currently disburse more than the UN, and channel almost two-thirds of the EU’s relief aid.<sup>26</sup> The London School of Economics in 2001 estimated that NGOs had collected in 1 year 7 billion dollars in development funds and 2 billion dollars

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<sup>26</sup> See OECD, *Geographical Distribution of Financial Aid to Developing Countries*, Paris 1997.



in funds from US foundations.<sup>27</sup> Even more expansively, according to the 2003 UN Handbook of Nonprofits Institutions, the civil society sector is estimated to account on average for 5 % of the Gross Domestic Product (GDP) in the majority of Western democracies (exceeding 7 % in Canada and US). This means that the GDP contribution of the non-profit sector exceeds or is on a par with the GDP contribution of many industries in these same countries, such as utilities and financial intermediation. Moreover, it is believed that charitable giving will increase in the years to come for a number of reasons, including the progressive growth in the global population of the “ultra-high-net-worth individuals” (10.2 % growth in 2010, according to the World Wealth Report); the ageing world population that, according to experts forecasts, may donate more to charities (the World Giving Index estimates that only 24 % of 15–24 years old make charitable donations, while 33 % of those in the age group of 50 or more engage in charity); and, as previously discussed in Sect. 2.2, technology is also encouraging greater awareness towards humanitarian causes. Non-profits such as Kiva, an online organisation that allows people to lend money via the Internet to microfinance institutions in developing countries, enables donors to assist to underprivileged entrepreneurs with little access to credit. The net result is that individual donors are able to collectively make a difference to the enterprise of their choice.

On the other hand, this increased accessibility to funds and the positive forecasts have not corresponded with an equitable and overspread distribution of the grants and donations available globally. On the contrary, it is well acknowledged that chronic under-funding and understaffing affect many NGOs through their lifespan. Exemplary is the case of non-profits that rely heavily on government grants and contracts, which have been the most affected by the recent economic recession. In the US, more than 40 states have reduced spending on services such as health care, education, and care for the elderly and disabled since 2010. The Blackbaud Index of Charitable Giving (representing 1468 organisations, with 2.2 billion dollars in charitable income) also showed a decline in charitable giving throughout 2010.<sup>28</sup> The OECD reported how revenues for many non-profit organizations decreased dramatically after 2009, as in the case of the International Federation of Red Cross, whose net voluntary contributions declined of 50 % between 2008 and 2009. Recovery is expected, but at a slow rate. Giving US reports that in 2013 Americans donated 335 billion dollars to charitable causes. For the first time in 7 years, charitable giving is going back to the pre-recession levels. Not to mention the fact that many non-profit organizations face opposition from governments with regard to foreign funds. The International Centre for Non-Profit Law reports six countries that have passed laws in the past 2 years affecting NGOs that receive foreign funds, and a dozen more countries that plan to do so. The “Closing Space” report from the Carnegie Endowment for International Peace lists 50 countries that place some

<sup>27</sup> See H. Anheier, M. Glasius, M. Kaldor, *Global Civil Society*, see chapter 1 at section 6.1, chapter 1 n 68 and n 81.

<sup>28</sup> See Blackbaud Report 2012 available at [www.blackbaud.com/files/resources/downloads/2012.CharitableGivingReport.pdf](http://www.blackbaud.com/files/resources/downloads/2012.CharitableGivingReport.pdf)

restrictions on overseas funding of NGOs.<sup>29</sup> Restrictions may be motivated by security reasons (as in the case of India, Russia or Egypt) or transparency reasons, as in the case of US. To address this problem in 2011 the UN appointed Maina Kiai as a Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.

More often than not, smaller civil society organizations are unable to update their websites because initial grants funded the building of the site, but not its maintenance. There is often a high turnover of volunteer staff, which can lead to the abandonment of certain projects considered beyond the capability of the organization. Smaller organizations may not rely on personnel who master the English or the French languages. Newcomers to transnational advocacy may lack the resources to send delegates to conferences and other networking opportunities. In sum, many organizations find it a constant struggle to raise enough funds not only to keep their advocacy projects running, but also to improve and widen their reach.

Networking may be thus explained, on the plus side, in the light of the drive for growth embedded in NGOs' increased entrepreneurship and expanded operating expenditures or, on the minus side, as a pragmatic solution for NGOs to enhance their limited budget to effectively fulfil their social goals.<sup>30</sup> By accessing a network, smaller actors seek to overcome their lack of experience to write funding proposals and, also, to escape certain criteria such as "financial accountability" that may preclude their participation. Not to mention attempts to fight the unwillingness of donors to evaluate start-up grants (the ones that are the most needed by small organizations). As clearly explained by the 2012 Report on Global Trends in the Not-For-Profit Sector, not only are online marketing strategies now perceived as critical by many non-profits for fundraising, marketing and generating awareness for their cause, but also and particularly the funding crunch that happened during the recession has motivated many non-profits around the globe to start forming alliances to create a common pool of funds and combine their various programmes under one umbrella. One may look at EU grants as an example. EU funds are notoriously awarded to organised networks of civil society actors rather than to single NGOs. In 2015, for instance, 16 out of the 24 operating grants of the LIFE programme were awarded to ICs, including the CAN and the EEB.<sup>31</sup>

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<sup>29</sup> The report is available at [www.carnegieendowment.org/2014/02/20/closing-space-democracy-and-human-rights-support-under-fire/h1by](http://www.carnegieendowment.org/2014/02/20/closing-space-democracy-and-human-rights-support-under-fire/h1by)

<sup>30</sup> See D.C. Hammack, D. Young, *Nonprofit Organizations in a Market Economy. Understanding New Roles, Issues and Trends* (San Francisco, Jossey Bass, 1993); C. Cicoria, "European Competition Law and Nonprofit Organizations: A Law and Economics Analysis" (2006) 6 *Global Jurist Topics* article 3.

<sup>31</sup> See European Commission, *European Environmental NGOs – LIFE operating grants 2015*, 2015.

### 2.1.7 *Networks' Benefits*

Finally, the growing prominence of the ICs may be explained by the substantial benefits that are associated with networks' membership. Benefits associated with civil society networks are manifold. First, by routinizing practices, interactions, and exchange among its participants, networks enhance the possibilities for them to focus on projects while leaving the administrative functions to a centralised body, and to engage in debate and negotiation with IOs. Second, they increase the opportunities to access relevant information at reduced costs, and to exchange expertise and best possible practices. Becoming members of a network, in other words, provides opportunity for civil society actors that are geographically dispersed, and would be otherwise politically mute, to access IOs' activities, at no additional cost (or, at least, without the costs of re-locating activities from their place of origin to some other city or state). Third, networks offer their members the opportunity to increase their global visibility. Finally, networks enhance the credibility of their members through the adoption of formal procedures to select participants and to certify their accountability. Scholars have also listed additional benefits for civil society actors entering into a network. Claudia Liebler and Marisa Ferri, for instance, mention increased access to information, increased efficiency, and increased visibility. They also list solidarity and support, risk mitigation, reduced isolation, and enhanced credibility.<sup>32</sup>

The benefits are, however, mutual. Through the synergies with the ICs, the IOs aim at *first* increasing their democratic legitimacy in the face of growing political challenges; *second* and equally important, IOs aim at adopting more appropriate regulations by relying on genuine grassroots support; and, *third*, they aim at being perceived as accountable in the development of laws and policies. As supranational coalitions of civil society actors emerged from the fundamental needs of IOs to maximize their problem-solving capacity, a utilitarian stance may suggest that IOs find it easier to negotiate with a single coalition instead of managing multiple negotiations with a multitude of NGOs. The preference for EU-level organisations expressed by the European Commission in the civil dialogue is an example of this. This preference for a "centralised, neo-corporatist model of state civil-society relations", in the description of Carlo Ruzza, reveals the will to leave the task of aggregating preferences to civil society itself.<sup>33</sup>

For all the above reasons, the ICs – whether they are composed solely of NGOs or also of other non-state actors – are welcomed by IOs as a momentous shift in supranational rule-making, proving how interstate relations have transformed into

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<sup>32</sup> C. Liebler, M. Ferri, *NGO Networks, Building Capacity in a Changing World*, Study supported by Bureau for Democracy, Conflict, and Humanitarian Assistance Office of Private and Voluntary Cooperation 2004 (available at [www.kenia.usaid.gov](http://www.kenia.usaid.gov)) list eight different benefits for NGOs in a network. These include increased access to information, increased efficiency, solidarity and support, increased visibility, risk mitigation, reduced isolation, and credibility.

<sup>33</sup> See C. Ruzza, *Advocacy coalitions and the participation of organised civil society in the European Union* see text at section 1, at 64.

composite and multi-levelled systems of governance. At the same time, such coalitions are increasingly considered ideal mechanisms by NGOs and other non-state actors for developing large-scale strategies to stronger advocate their requests towards IOs.

It should also be considered that the ICs – or, generally, networks – do not only convey benefits. As Middendorf and Busch (1997) have explained, mechanisms for public participation can be distorted and appear to represent a broad constituency, and yet in fact be highly unrepresentative. Thus, the effective participation of their members and, above all, the actual influence on IOs' rule-making activities represents the main risk of the ICs. Whether this approach may be warranted, the ICs may turn out to be only expensive *fora* for deliberative communication whose actual influence over the formation of IOs' policies is actually scarce, or even ineffective. In addition to the issue of effectiveness, coalitions of civil society actors generate two additional classes of concerns. The first class of concern relates to its functioning. Holding NGOs and other civil society's groupings together in a coalition constitutes a complicated enterprise, especially when such coalitions grow bigger and, in consequence, the likeliness of controversial positions increases. Second, but not least, concerns are related to possible competition among the ICs, or the loss in creativity that comes from the constant replication of the same advocacy strategy from different coalitions. The more problematic aspects of civil society's networks will be touched on later, in the conclusions of this volume.

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