Transnational Advocacy Networks
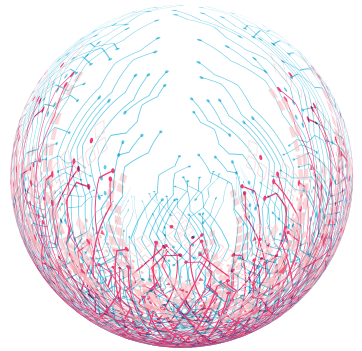
Twenty Years of Evolving Theory and Practice

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Editors

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Introduction: Building and Sustaining the Ecosystem of Transnational Advocacy

Peter Evans and
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As the twentieth century came to a close, the practice of global and transnational politics was undergoing a sea change. Understandings of its dynamics were changing along with the practice. Classic paradigms of international relations, which had focused almost exclusively on relations among nation-states, were being expanded to consider the impact of transnational civil society organizations. Recognition of the role of new nonstate actors in global politics was epitomized by the impact of Margaret Keck and Kathryn Sikkink's *Activists beyond Borders* in 1998. Their framework is a foundational reference point for the analyses of recent and future trends that are set out in this book.

In the years since the turn of the millennium, transnational advocacy practices, organizations, and networks have evolved as activists have learned from experience and as they respond to a changing global environment. Activists, particularly those based in the global South, have accumulated a wealth of experience in dealing with a range of transnational networks operating in diverse issue areas. New theoretical understandings have reflected this accumulating experience.

The global context in which local rights activists and transnational advocacy networks (TANs) must work has also shifted. In the years since the publication of *Activists beyond Borders*, the geopolitical system has become more multipolar, presenting activists and TANs with a more complex set of challenges. More recently, a new set of leaders, sometimes labeled "nationalist-populists," has become more salient. Their agendas are the antithesis of a global rights agenda. As César Rodríguez-Garavito (2017b,13) puts it, "the nationalist populism that is proliferating across the world and threatening human rights can be understood as an effort to reduce and harden the definition of 'us' and to expand the definition of 'they.'" These leaders attack TANs in order to delegitimize local advocacy groups and to justify governments' infringements on local rights (Rodríguez-Garavito and Gomez 2018).

The emergence of nationalist-populist leaders makes a clear-eyed analysis of the strategies and structures of TANs even more crucial. Well-grounded understandings of the strengths and weaknesses of past and potential TAN strategies and structures are essential to making these networks more resilient. Analysis of how variations in issue characteristics, organizational features, and political environments contribute to the ability of transnational advocacy to connect international and domestic actors and influence outcomes has become more analytically sophisticated. This analytical work, like the work of the activists themselves, must continue.

This volume brings together a set of ten essays by reflective activists who draw on their experience to provide new insights into what has been happening in the world of transnational advocacy, and by engaged academics who are committed to using the tools of their disciplines to contribute to the same agenda. The essays reflect not only the views of individual authors but also the collective dialogue among the authors at the workshop where the papers were originally presented in the spring of 2015.[1]

While "advocacy" might include activities promoting any cause or point of view, this volume follows the main currents of the literature on transnational activism by focusing on advocacy that has emancipatory aims, seeking to secure social justice, human flourishing, and community in ways that are socially and ecologically sustainable. The human rights movement is the archetypal example, but movements aimed at securing dignified livelihoods, preventing the destruction of the nature on which all human flourishing depends, and providing all individuals and communities with a voice in the decisions that affect their lives all fall under our definition of advocacy.

In this introductory chapter, we highlight three themes that, in combination, illuminate the evolution of transnational advocacy. We start out by emphasizing that transnational advocacy must be seen as an *ecology* of organizations, networks, practices, and strategies. The changing relation between *states and transnational advocacy* is the second theme that helps illuminate the twenty-first century evolution of transnational advocacy. In the classic late twentieth-century vision of transnational advocacy, states were, above all, targets. In Keck and Sikkink's iconic "boomerang model," however, states also served as allies, channeling demands frustrated at the national level. Both of these roles are now being reconsidered.

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1   The workshop, organized by Dejusticia and the Watson Institute for International and Public Affairs, was held at Brown University from April 30 to May 2, 2015.

Finally, the third theme centers on the implications of the changes over the past fifteen years for the future of transnational advocacy. All of the chapters in this volume are forward looking. They recognize negative scenarios: situations where transnational advocacy has lost its ability to promote positive change and is likely to recede as a force for international and domestic change. But they also explore positive possibilities, highlighting the emergence of new structures, strategies, and relationships that hold the promise of an expanded role for and greater impact of transnational advocacy. Each contribution to the volume sheds light on the ecosystem of transnational advocacy, helps us re-envision the relation between TANs and differently positioned states, and offers insights into possible trajectories for changes in both. Below, we deal with each theme in turn, summarizing key observations, insights, and arguments from the individual contributions to each of the three themes and pointing out the connections across themes.

Transnational Advocacy as an Ecosystem

When transnational advocacy emerged as a force in global politics, the first analytical task was to set out the common characteristics shared by organizations and networks engaged in diverse campaigns. One of the key contributions of *Activists beyond Borders* was precisely this. Keck and Sikkink took campaigns focused on environmental sustainability, human rights, and violence against women and set out clearly their shared characteristics, thus creating the concept of a "transnational advocacy network" and enabling scholars and activists alike to better think about transnational advocacy as a general phenomenon.

Seeing transnational advocacy as having "the structure and logic of an ecosystem," as Rodríguez-Garavito (2014) argues we should, encourages us to look at differentiation within the field of transnational advocacy and at the interconnections among its different elements. The overall prospects for transnational advocacy are enhanced if different parts of the ecosystem system build connections with one another, thus enhancing the prospects of "counter-hegemonic globalization" (Evans 2005). As in any ecosystem, the field's robustness will depend on the collaboration and complementarity among different types of *issues*, *frames*, *organizational structures*, *actors*, and *strategies*.

The transnational advocacy ecosystem is defined multithematically. The array of issues that are the focus of different organizations and networks constitutes a central dimension. Geographic dispersion, especially across the North-South divide but also in relation to what Louis Bickford (2014) calls the "global middle," is another dimension.

In addition, transnational advocates are arrayed across a set of strategic choices with regard to discursive framing and tactics.

Diversity is also evident in the range of traditional and new actors in the transnational advocacy field. Just looking around, we see examples of this ecosystem in motion. For instance, current human rights campaigns involve not only (and often, not mainly) professional nongovernmental organizations (NGOs) and specialized international agencies but also e-activists, social movements, churches, antipoverty coalitions, and many other organizations and networks that frame their causes in terms of human rights language and norms. Moreover, targets have become more diverse as human rights advocacy and standards incorporate nonstate actors, such as transnational corporations, as core objects of mobilization and regulation.

Network ties among different organizations and actors knit together the various dimensions of the ecosystem. As the network analysis in the chapter by Amanda Murdie and colleagues shows in graphic terms, connectivity is asymmetrically distributed, with long-established, well-resourced organizations based in the North still occupying a privileged position. But the shape of this system may be changing. Most obviously, the geographic dimension of the system is shifting.

In his chapter, Bickford argues that "convergence toward the global middle" has propelled a shift in the network architecture of transnational human rights organizations and strategies. The most central organizations in the North, such as Amnesty International, have decided that getting "closer to the ground" requires fostering organizational capabilities in the South. Middle-income countries in the South with democratic regimes and functioning states are the obvious sites for the emergence and expansion of new advocacy organizations.

Transnational advocacy organizations based in this "global middle" are becoming more central to the overall system. This makes South-South collaboration more important to the network architecture. The ability of advocacy organizations in the global middle to develop complementary relations with organizations in the North, on the one hand, and with organizations in poorer and more authoritarian countries in the South, on the other, will be a major determinant of the future of transnational advocacy.

Southern organizations are already developing variations of the classical boomerang model. They have forged "multiple boomerang" strategies whereby nationally based NGOs carefully synchronize their efforts at the domestic level to put simultaneous pressure on their respective states' foreign policy decisions. A good example, discussed by Rodríguez-Garavito (2014, 505), is the work that a handful of Latin

American human rights organizations did in order to defend the Inter-American Commission on Human Rights from attacks from governments across the region.

The quality of relationships among organizations and campaigns that focus on different issues or frame them in different ways is equally important in defining the cartography of the ecosystem. The most salient current discussions on this dimension explore the relation between a classic human rights focus and a broader focus on economic, social, and cultural rights (ESCR). Daniela Ikawa argues that a broader emphasis on ESCR implies a shift both in the constituencies whose needs are prioritized and the forms of redress required. She explains that the content of these rights varies across constituencies, noting, for example, "The content of the right to health for a white, rich, heterosexual, able-bodied man living in a dictatorship will be different from the content of such a right for a black, poor, pregnant woman living in a democratic but economically unequal country."

Doutje Lettinga takes the discussion a step further, suggesting that human rights are no longer the lingua franca of political mobilization, having been superseded by grievances expressed in terms of "social justice, human dignity, and democracy." Lettinga's proposition echoes the research findings of Isabel Ortiz et al. (2013, 42), who conclude that "the leading cause of protest worldwide between 2006 and 2013 is a cluster of grievances related to economic justice. And, while these grievances are rights-related, many of these protests do not use the language of human rights in pursuit of their goals."

For Lettinga, the contrasts between the strategies and tactics of "the new civic activism" and those of more traditional human rights organizations are as important as these actors' different framings of social justice issues. These new mobilizations not only use a different language but also do different things: "Recognized and socially acceptable forms of participation and claim-making that are generally used by [international human rights organizations] and that emphasize collaborative modes of political interaction are sometimes replaced by subversive, unruly, disruptive, or illegal direct action to confront the status quo."

As Boaventura de Sousa Santos and Rodríguez-Garavito (2005) flagged in earlier discussions of transnational advocacy, a diverse epistemological ecosystem parallels the variegated framings and strategy within the transnational advocacy ecosystem. Cecilia Santos's analysis of networks seeking redress for violence against women in this volume shows that, like other kinds of diversity within the ecosystem, the interactions among different epistemological approaches can strengthen

the assemblage of actors involved but can also result in tensions and conflicts.

In looking at key cases brought to the Inter-American Commission on Human Rights by victims of violence against women in collaboration with local and transnational feminist and human rights NGOs, Santos distinguishes between the epistemological worlds of transnational legally oriented NGOs and the worldviews of local NGOs focused on organizing and mobilizing women. To these two epistemologies she adds the epistemology of the victims themselves, which is based on "a common knowledge rooted in their bodily experience of physical, psychological, and emotional harm." She shows how the interactions among these epistemologies can be a powerful tool that enables "cosmopolitan and local actors [to] learn from one another's knowledges of harm and rights violations, as well as from their legal and political repertoires of action, resources, and strategies." Yet in other cases, the translation of different forms of knowledge can be divergent, leading to "breaking solidarities." Santos shows how very similar networks and cases can have quite different results, flagging an important challenge for transnational activists.

The increasing importance of the effective use of communications technology underlines the relevance of the epistemological dimension in a different way, broadening the strategic diversity contained within the ecosystem even further. The tactics of the new set organizations whose terrain is primarily virtual, such as Avaaz, stands in telling contrast to the tactics of older organizations, such as Amnesty International, in which organization, mobilization, and relationships "on the ground" weigh more heavily than reliance on digital communications. This strategic choice has profound implications for the selection of campaigns, the kind of constituencies mobilized, and relative effectiveness in different arenas.

Ideally, diversity within an ecosystem makes it more robust and more resistant to being destroyed by adverse changes in its external environment, but the potential for synergies can also be overshadowed by struggles to demonstrate the superiority of a particular approach. An example of how different approaches may undermine possibilities for collaboration can be seen in the conflicts that emerged in the early regional and global consultations convened by the United Nations working group responsible for implementing the United Nations Guiding Principles on Business and Human Rights.

These consultations were characterized by a highly polarized debate in which both sides staunchly defended their positions. On the one side were those who defended a soft-law approach to the Guiding

Principles. On the other were those who refused to use the principles and demanded a binding international treaty. In cases such as this, "silos" are not an option because the same substantive terrain is in question. But instead of an effort to build synergies based on the different comparative political advantages implied by each approach, there is conflictive competition in which advocates of each approach devote a substantial part of their energy to attacking the other approach and defending the superiority of theirs (Rodríguez-Garavito 2017a).

As we look across the different dimensions of the transnational advocacy ecosystem, the key questions remain the ones raised by Rodríguez-Garavito (2014): Will relations among diverse actors, strategies, campaigns, and approaches be characterized by collaboration and complementarity? Or will they generate conflict and competing claims that pit different actors against one another? The balance between the synergy and conflicts that grow out of competing claims will be central to determining the future of transnational advocacy in human rights and other related arenas.

The contributions to this volume demonstrate that thinking about transnational advocacy's evolution as an ecosystem is a more fruitful way of thinking about the future than looking at the trajectories of individual organizations, campaigns, or themes. But the evolution of this ecosystem cannot be analyzed without considering the changing global political and ideological terrain within which the ecosystem is situated. In this landscape, individual states and the ecosystem of states stand out as prominent features.

States and Transnational Advocacy

State actors are only one set of protagonists with which transnational activists must deal, and the ecosystem of states is only one aspect of the global terrain in which transnational advocacy operates, but states and their ecosystem are central to the successes and setbacks of TANs. Bickford's convergence toward the global middle looks at the growth of multipolarity from the point of view of international relations. But it is not just the ecosystem of states that is changing; also undergoing an evolution are the prevailing definitions of the relation between state and nonstate actors.

Despite the recent pushback by nationalist-populist governments and movements (Rodríguez-Garavito and Gomez 2018), the Westphalian world in which the rights of sovereigns in relation to their people and territories was almost sacred is no more, thanks in good measure to the work of transnational activists. To be sure, sovereignty is not

dead—it is still a powerful political force, not easily abrogated even in cases of egregious abuse and malfeasance. And invoking nationalist identities is still an attractive strategy for politicians who try to legitimize rights abuses. Nonetheless, the idea that there are rights and norms that supersede the rights of sovereigns is a potent countervailing influence.

When the main goal is to hold political leaders accountable for human rights violations, the lack of state capacity may not be a focal concern. Instead, the lack of political will is the issue. However, it would be misleading to envision the relation between TANs and states simply in terms of contestation. Transnational advocates depend on capable states—even those they are challenging—to achieve their ends.

Even when violations of classic human rights are the issue, the capacity of the state to find and deal with the public officials involved, to control its own repressive apparatus, and to provide redress or compensation is key. When the focus is on redressing economic and social grievances, an absent state capacity can be crippling. As Ikawa points out, an ESCR approach, which is more likely to focus on alleviating concrete disadvantages experienced by underprivileged groups, shifts attentions to the state's positive obligations. State capacity thus becomes more important in an ESCR framing than in a classic human rights perspective.

Enrique Peruzzotti illustrates the high degree of variability that exists in the translation of formal state acceptance of human rights norms into positive state action. While most Latin American states have accepted the Convention on the Rights of the Child by ratifying the treaty, implementation of this commitment runs the gamut. Ecuador has invested in building its capacity by promoting "significant institutional changes," including "creating an interdepartmental agency to coordinate public policies for young people and children." In Argentina, on the other hand, it took fifteen years for the state to go beyond *pro forma* ratification. This variation has been driven in part by the interaction of civil advocacy networks with the state, but it has also been a function of attitudes and capacity within the state apparatus.

Maritza Paredes's analysis of the protection of indigenous territories in Peru via the institutionalization of the prior consultation process is a good example of the central role played by local state capacity in successful advocacy. Transnational advocates were essential to constructing a global norm on prior consultation, but its effective implementation in Peru depended on the construction of an exceptionally innovative and effective organizational node within the state—the ombuds office.

Analysis of the role of the state must go beyond transnational advocates' interactions with individual states. By definition, transnational advocacy involves relations with multiple states. In any given advocacy campaign, some states are targets and other states are potential allies. States as allies were essential to the original boomerang model in *Activists beyond Borders*. The ability to recruit other states as allies in struggles against a targeted state was an important resource for TANs. This, in turn, depended on the accessibility of potential ally states to advocates and the vulnerability of the target state to pressure originating from the ally state. The archetypal example was the Amazon ecological reserve case in *Activists beyond Borders*, in which advocates based in Brazil were able, through TANs, to use the United States as an ally in pressuring Brazil. Generalizing from this example, the typical ally state is an economically and politically powerful democratic country in the North, while the typical target state is an authoritarian country in the South.

The range of campaigns to which this model applied was always a relatively small subset of transnational advocacy campaigns (Sikkink 2005). Looking more closely at the role of the United States shows the limits of generalizing from the archetypal case. If outlawing child labor, abolishing the death penalty, or prosecuting torturers are the issues, the United States is the target state rather than an ally. And for every campaign in which the United States has been part of the solution, there have been at least an equal number in which it was part of the problem. (In Latin America, the contrast between the role of the United States in Argentina in the late 1970s and early 1980s and its role in Central America throughout the twentieth century illustrates the point.)

Regardless of whether the original boomerang model applied historically to a wide or narrow set of campaigns, the ecology of states has changed since the turn of the millennium. Convergence toward the "global middle"—in other words, the growth of multipolarity—means that transnational advocacy campaigns looking for effective state allies now must deal with a different array of state actors. Put another way, the United States is becoming less salient as an ally, and the global middle (ranging from China to India to Brazil to Korea) is becoming more salient.

In her chapter, Kathryn Hochstetler takes a set of cases analogous to the original *Activists beyond Borders* environment case (in which pressure on funding for development projects was created by using the United States as an ally state) and shows why the same pattern is unlikely to be replicated if China or Brazil are the potential ally states. She

emphasizes that "variation *among* Southern states may be as significant as the lines that divide South and North." One of the consequences of focusing on the global middle is to shed light on variations in the domestic political climates of the major countries of the global South. Hochstetler notes that in the early 2000s, during the final years of the Workers' Party government in Brazil, "NGOs' ability to pressure [the Brazilian Development Bank] depend[ed] on their access to a number of tools of democratic governance and on the bank's inclination to respond with increased transparency and accessibility (within limits) to activists."

Harsh Mander's chapter on India complements Hochstetler's analysis by qualifying in a different way the positive expectations of the contributions made by states in the "global middle" to TANs. Mander sets out the positive accomplishments of past alliances between Indian civil society organizations and transnational advocacy groups but underlines the negative impact of the current ideological climate in which "any disagreement with the market-led economic policies of the state, or concerns about their environmental or labor right consequences, is considered 'antinational,'" designed to keep India in a "'state of underdevelopment.'" This capital-dominated nationalist version of "development" turns TANs into agents of a nefarious "foreign hand" while defining foreign corporations as agents of development.

The rise of civil society advocacy organizations in the countries of the "global middle" has unquestionably been central to creating a more robust and vibrant TAN ecosystem. The increasing importance of states in this middle requires a more differentiated analysis. States in the global middle, like states in the global North, play a variety of roles that evolve over time depending on national political regimes. Taken together, the analyses of the role of the state in these chapters make it clear that while relations with individual target states have become more complex—including by emphasizing the importance of building states' capacity instead of simply getting them to stop violating norms—using other states as allies has also become more complicated. New variations on the "boomerang" are likely to require multistate strategies as well as leveraging the international organizations that have been created since *Activists beyond Borders* was written.

The Future of Transnational Advocacy

Will transnational advocacy become an increasingly central part of global, national, and local struggles for human rights, social justice, and sustainable dignified livelihoods? Or have changes in the structure

of the global political economy and in the global ideological climate turned transnational advocacy into a threatened species of political animal? The cross-currents are complex, and the possibilities for a dystopian future in which states and global capital create a pincer movement that crushes rights and social justice are real. Nonetheless, the overall assessment that emerges from this volume is that the transnational advocacy ecosystem has adapted to its changing environment and continues to respond impressively to the challenges it confronts. The authors represented here have a robustly positive view of the future of the ecosystem.

Negative projections of the future of transnational advocacy depend on negative assessments of the impact of recent shifts in the field. We will focus on three of these negative assessments. First, there is the "unfavorable shifts in the global political economy" assessment (Hopgood 2013). Second, there is the "failure to deliver results" assessment (Moyn 2018). Third, there is the "failure to adapt to new agendas" assessment. All of these reflect real challenges, but as this volume shows, all are exaggerated.

The "failure to deliver results" assessment is addressed most directly in Kathryn Sikkink's chapter (see also Sikkink 2017). She takes on the pessimistic view that the continued existence of repression and human rights violations around the world is evidence that human rights law has not worked and should be abandoned, arguing that the effectiveness of advocacy with regard to issue creation and information politics has had the unintended negative consequence of people perceiving that human rights behavior has worsened when it has actually improved. Building on the "information paradox" idea that was central to the analysis of campaigns targeting violence against women (Keck and Sikkink 1998, 194–95), Sikkink argues persuasively that the very success of transnational advocacy has led many people to conclude the world is worse off because we care more and know more about human rights than ever before in human history.

The chapter by Murdie and colleagues summarizes a quite different set of evidence that also counters the "failure to deliver results" critique. Drawing on a methodologically sophisticated analysis of quantitative data, they find support for three of the original *Activists beyond Borders* claims, noting that (i) "when domestic and international advocacy are joined, human rights practices improve"; (ii) "human rights advocacy by international nongovernmental organizations increases local protest"; and (iii) "human rights organizations 'network' together in ways that increase their advocacy output." The findings reported in the chapter by Murdie and colleagues make it easy to