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**Multilateral Trade Governance as Social Field:
Global Civil Society and the WTO ***

Kristen Hopewell
Lecturer in International Political Economy
Department of Politics and International Relations
University of Edinburgh
15a George Square
Edinburgh EH11 1SD
kristen.hopewell@ed.ac.uk

Abstract: The 1999 Seattle protests, which brought thirty thousand people to the streets in opposition to the World Trade Organization (WTO) and set off a series of other protests against the multilateral economic institutions, helped spark significant academic interest in global civil society and its potential to act as a transformative force in global economic governance. In this article, however, I argue that many of the civil society actors that have sought to engage with and influence the WTO have been transformed in the process. They have both become more technocratic and increasingly moved toward advocating positions that accord with the neoliberal trade paradigm. I draw on Bourdieu's field theory to explain why and how this transformation has occurred. I argue that, in order to understand these changes among parts of civil society, we need to see multilateral trade governance as a social field, which civil society actors enter into as they seek to impact outcomes at the WTO. The case of the WTO challenges existing theories that conceive of global civil society as an exogenous force that acts upon the institutions of global governance, showing instead that global civil society is not in fact independent or autonomous but shaped and influenced by the institution it targets.

Key words: Global civil society, World Trade Organization (WTO), global governance, Bourdieu, field theory, legitimation.

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Biographical note: Kristen Hopewell is a Lecturer in International Political Economy at the University of Edinburgh. Her research examines the dynamics of power and contestation at the World Trade Organization.

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Introduction

In 1999, thirty thousand protestors took to the streets of Seattle in opposition to a meeting of the World Trade Organization (WTO) intended to launch a new round of trade negotiations. The WTO had come into force only four years before – as a successor to the General Agreement on Tariffs and Trade (GATT) – but it had already generated an intense reaction from civil society. As part of the global neoliberal turn, the creation of the WTO involved a significant expansion in supra-national authority and the scope of trade rules. Civil society actors viewed the WTO as exclusionary and undemocratic and were concerned about the implications of its rules for a wide range of issues including development, inequality, the environment, labor and health. Organized by a diverse network of social movements, non-governmental organizations (NGOs) and trade unions, the Seattle protests closed the city’s downtown core for four days and disrupted the meetings of negotiators. The “Battle of Seattle,” as it came to be known, served as a coming out party for the anti-globalization, or global justice, movement and set off a wave of protests at meetings of other international economic organizations – including the International Monetary Fund (IMF), the World Bank, and the G8/G20 – around the world.

These events sparked significant academic interest in global civil society and its potential to act as a transformative force in global economic governance. In much of the existing literature, global civil society has been heralded as a democratizing force (Anheier 2004; Archibugi and Held 2011). It has been seen as a source of counter-hegemonic resistance to the current path of neoliberal globalization (Gill 2008), with the potential to “tame” and “civilize” globalization (Kaldor 2000) or to usher in a new type of “globalization-from-below” (Falk 2014). Loaded with a broad set of ambitions and aspirations, as Ronaldo Munck (2004) observes, global civil society has taken on almost “mythical proportions.” In the process, however, our

understanding of actually-existing global civil society – as an analytical construct used to understand and interpret the social world – has been hampered by blurring with its normative ideal (Chandler 2007; Kenny and Germain 2005).

This article contributes to our conception of actually-existing global civil society by examining the case of the WTO, a core institution in global governance. Despite considerable theoretical interest in global civil society, there have been few empirical studies of how it actually engages with and works to influence the WTO. Although there is a large literature on the relationship between the WTO and civil society, it has focused primarily on one pole of this dyad: the WTO, its initiatives directed at civil society and the extent to which it has (or has not) been changed by this interaction (Hannah 2011; Howse 2003; Kapoor 2006; Mortensen 2003; Wilkinson 2005; Williams 2005). Where the literature has turned to examine the other pole – global civil society – it has focused on the Seattle protests (Gill 2008; Halliday 2000; Kaldor 2000; Levi and Olson 2000; Murphy and Pfaff 2005), with comparatively little attention to global civil society's engagement with the WTO in the 15 years since then. During this period, an incipient divide within civil society grew increasingly pronounced. Although sharing the broad objective of advancing social justice, civil society actors have differed in their strategies regarding engagement with the WTO. Some organizations made the decision to go “inside” the corridors of power, engage directly with trade officials, and lobby for change within the institution. Others decided to stay “outside,” refusing to engage with the WTO, calling for its abolition, and working to construct alternatives to neoliberal globalization through initiatives such as the World Social Forum. Scholte (2004) has characterized this as a split between “reformers” and “rejectionists”. Within the politics of social change, the relative merits of, and tensions between, reformist and revolutionary approaches has been a topic of long-standing

debate. In the case of the contemporary global justice movement and its mobilization surrounding trade, the rejectionist camp has attracted considerable attention and academic research (Patomäki and Teivainen 2004; Santos 2006; Smith 2004). However, we know far less about what has happened to the reformers attempting to effect change within the WTO.

In this article, I focus the lens of analysis on civil society actors seeking to engage with and influence the WTO, examining their activities and interaction with the institution. I argue that the dynamics of transnational advocacy directed at the WTO have changed dramatically since the iconic Seattle protests. In the process of seeking to transform the WTO, many civil society actors have themselves been transformed: they have both become more technocratic and increasingly moved towards advocating positions that accord with the dominant neoliberal trade paradigm. I draw on Bourdieu's field theory to explain why and how this transformation has occurred. I argue that, in order to understand these changes among parts of civil society, we need to see multilateral trade governance as a social field, structured and stratified by power relations and the distribution of capital, which civil society actors enter into as they seek to impact outcomes at the WTO. The case of the WTO challenges existing theories that conceive of global civil society as an exogenous force that acts upon the institutions of global governance, showing instead that global civil society is not in fact separate or autonomous but shaped and influenced by the institution it targets.

Conceptualizing Global Civil Society and Global Governance

Contemporary theorizing on global civil society is rooted in the concept of civil society, used to refer to the sphere of social interaction composed of associations and public communication, seen as a critical component of democratic society. Civil society is most often conceptualized as a distinct social sphere, separate and autonomous from the state (Alexander

2006:53; Taylor 1991; White 1994:379), or as an independent “third realm” differentiated from both the state and market (Kaldor 1999:200; Lipschutz 2007). The concept is closely tied to the Habermasian notion of the public sphere, a site of public debate and deliberation, where public opinion is formed and then channeled to critique and shape governance. Gramscian perspectives conceive of civil society as the sphere where the hegemony of ruling elites is enabled or disabled, such that it may be either “an agent of stabilization and reproduction” of the existing social order or “a potential agent of transformation.” (Cox 1999: 4-5)

Extended to the global level, the concept of civil society has been used to capture the activity of non-state actors in global politics. Scholars have been centrally concerned with the potential of global civil society to act as a transformative force. It has been viewed as a source of alternative norms, values and discourses, giving voice to marginalized peoples and perspectives, broadening the range of issues and terms of debate, and serving as a key source of contestation in the global polity (Florini 2000; Kaldor 1999). By generating alternative political discourses and debate, global civil society is seen as playing a central role in fostering deliberative democracy in global economic governance, challenging the workings of institutions like the WTO, IMF and World Bank, making them more responsive to popular concerns, and pushing for greater inclusivity, participation and accountability (Kapoor 2006).

This idealized portrait has been criticized for glossing over issues of representation, accountability, legitimacy and unequal power relations within global civil society itself (Chandhoke 2002; Chandler 2007). The argument made here differs, however, by challenging the premise that global civil society is a separate, independent sphere that acts upon the state (or at the global level, governance institutions like the WTO) and the market. Instead, consistent with a Habermasian approach that recognizes the serious power deficits of civil society vis-à-vis

both the state and market and the resulting colonizing effects of the state and market on civil society, I argue that global civil society is not simply an exogenous force that acts upon the institutions of global governance, but profoundly influenced by the institution(s) it targets.

I apply a theoretical framework informed by Pierre Bourdieu's (1990; 2000) *field theory*. There is growing interest in applying Bourdieusian theory to international politics and law (see, for example, Adler-Nissen 2012; Berling 2012; Dezalay and Garth 2002; Go 2008; Pouliot 2010), including in the realm of trade (Conti 2011; Eagleton-Pierce 2012; Evans and Kay 2008; Lang 2011). There has also been new interest in applying the concept of field to the study of social movements, in order to improve our understanding of political opportunities – the possibilities and limitations social movements face in seeking to advance their concerns – and how the perceived viability of different strategies affects the choices of social movement actors (Evans and Kay 2008).

Conceptualizing global governance as a social field in the Bourdieusian sense, I argue, provides a valuable means of capturing the terrain of contestation that surrounds any global governance institution, with various actors, endowed with different power resources, vying for recognition and influence. In contrast to more traditional international relations concepts such as regimes (Krasner 1983; Ruggie 1982) or epistemic communities (Haas 1992), field theory places relations of power and conflict at the center of analysis, bringing into focus how power is constituted, contested and reproduced, as well as providing important tools to illuminate the complex processes of legitimation involved. Field theory thus offers a useful lens for understanding the strategic practices of global civil society in seeking to influence global economic governance. As Bourdieu stressed, a social actor cannot be understood in isolation, but must be viewed as embedded in a social space or *field* of social interaction. A field is

defined as an arena of struggle centered on a specific stake (Bourdieu 1993: 72). A field is structured by the state of power relations among the agents within it, with the positions of social actors and their relationships determined by the distribution of capital, or resources (Bourdieu and Wacquant 1992). Capital can take a variety of forms, including economic, technical, scientific, political, military, cultural, social, or symbolic (Swartz 1997).¹ Actors in dominant positions are able to wield power over the field as a whole and shape how different forms of capital are valued in that field (Emirbayer and Johnson 2008).

Certain insights from field theory – related to the gatekeeping effects of capital, the centrality of recognition, and how these combine to produce specific forms of struggle within a field – are particularly relevant for studying the behavior of civil society in global governance. Capital is simultaneously a weapon and a stake of struggle, which “allows its possessors to wield a power, an influence, and thus to *exist*, in the field under consideration, instead of being considered a negligible quantity” (Bourdieu and Wacquant 1992: 98). The capital that an actor possesses and how it is evaluated in that field defines their position in the hierarchy of the field (Berling 2012; Emirbayer and Johnson 2008). But capital also performs an important *gatekeeping* function, serving to define and police the boundaries of the field:

An agent may be deprived of the right to speak in the field ... if certain types of capital are not possessed or certain ways of playing the game are not followed. ... [T]he agent needs to be recognized as a player in a field in order to become one. (Berling 2012: 463)

The boundaries of the field – who is recognized as having a legitimate claim to participate, or “right to exist” (Go 2008), in the field – are themselves an important subject of contestation and

¹ Technical capital refers to specialized knowledge, expertise and capabilities, often associated with professional or vocational skills (e.g., engineering, computer, legal, or accountancy expertise)

struggle (Bourdieu 2004). Possession of field-specific capital is necessary both for being accepted as a player in the field and optimizing one's position within it.

Field theory highlights the relational nature of power and the *centrality of recognition* (Bourdieu and Wacquant 1992: 96). Capital has no intrinsic value of its own but “needs to be recognized as authoritative in a specific field in order to be valuable.”(Berling 2012: 455) Symbolic capital is the form “assumed by different kinds of capital when they are perceived and recognized as legitimate.”(Bourdieu 1990: 128) Accumulating the specific forms of capital valorized within a field enables an actor to gain symbolic capital (legitimacy, recognition, esteem, authority) (Bourdieu 2000: 166). The strategies that actors employ are thus “*relational* to the configuration and content of the field.”(Go 2008: 209) Different fields provide distinct opportunities for certain strategies while denying others, depending upon the relative positions of players within it, the strategies of other players, and the modes of action valorized within that field. “Entry into a field requires the tacit acceptance of the rules of the game, meaning that specific forms of struggle are legitimated whereas others are excluded.” (Swartz 1997: 125) The field thus *imposes specific forms of struggle*; otherwise, one risks being ignored or discredited by other agents within the field.

Drawing on field theory, I argue that civil society actors seeking to impact decision-making within a global governance institution are forced to negotiate and respond to the opportunities and constraints that arise from the configuration of the field in which that institution is embedded, its power relations, institutional dynamics, and dominant ideology and modes of operating. The dynamics of contestation within the field shape how different forms of capital are valued and thereby serve to legitimize certain behaviors, forms of knowledge, and ideas, while delegitimizing others. For advocacy organizations, access to policymakers and the

potential to influence global governance are tied to their ability to marshal the types of capital, or power resources, valued in these fields. This creates considerable pressure on global civil society to adapt their behavior, discourse and advocacy positions to the dynamics of the field in which they are operating.

The remainder of the paper explores in greater detail how field theory can be applied to better understand the relationship between global civil society and the global governance institutions, by examining the case of the WTO. In this case, what is at stake in the field of multilateral trade governance – and thus what constitutes and defines it *as* a field (Bigo 2011) – is the struggle to shape the outcome of WTO negotiations and dispute settlement. A multiplicity of actors – including states, the Secretariat, business lobbyists, civil society organizations and others (Lang 2011: 187) – are engaged in the battle over this stake, each endowed with different forms and amounts of capital.

Data and Methods

The study presented here employed a qualitative research design incorporating three sources of data: in-depth interviews, direct observation, and documentary analysis. Research was carried out primarily in Geneva, where the WTO is located, as well as in Washington, Ottawa, Montreal, New Delhi, Sao Paulo, Brasilia, and Beijing. The Geneva-based interviews and observation took place from May-June 2007 and September 2008-June 2009; additional interviews at other sites were conducted over the period from July 2009-November 2010. The interview sample consisted of 157 respondents, including 45 NGO representatives, 15 Secretariat officials, and 51 member-state delegates (ambassadors and trade negotiators).² In total, 21 out of a universe of 22 NGOs with offices or significant activities in Geneva were interviewed. While

² The remaining interviews involved trade officials in capitals, business representatives, and various other actors and observers.

national-level and rejectionist groups were also interviewed in order to provide a larger picture of civil society contestation and advocacy related to trade, they are not the focus of the analysis presented here. Instead, the analysis centers on those global civil society actors who have sought to engage directly with the WTO and influence its decision-making process.

I also conducted over 300 hours of direct observation at events such as the annual WTO Public Forum; the UNCTAD Civil Society Forum; three major global civil society conferences on trade (in Ottawa, May 2007; Geneva, November 2008; and Montreal, November 2010); and numerous smaller conferences, workshops and strategy sessions organized by the Secretariat, states, or NGOs. As many of these were key sites where NGOs sought to present their campaigns and messaging to Secretariat officials and negotiators, and vice versa, they provided an opportunity to observe the dynamics of this interaction, as well as the interaction among different civil society actors themselves.

In addition, I analyzed WTO documents pertaining to its relationship with civil society, such as public relations materials, information on its website, and internal memoranda and policy directives related to civil society, as well as similar documents produced by member-states. This analysis included materials from WTO Public Forums – which provide an important snapshot of WTO-civil society relations – between 2001 and 2014. I also examined advocacy campaign materials produced by civil society actors, including press releases, policy and position papers, websites, emails to supporters and other communications.

Background: The WTO and the Rise of Civil Society Activism

The creation of the WTO marked the start of the neoliberal turn in the multilateral trading system (Mortensen 2003; Williams 2005). While the GATT was a comparatively weak organization, with limited power over its membership and primarily concerned with reducing

tariffs, the WTO expanded the scope of trade rules into new and more intrusive areas of domestic policymaking and created a dispute settlement mechanism that made its rules binding on states. Under the GATT, states were allowed considerable room to balance trade liberalization with the pursuit of other social and developmental objectives, whereas the WTO was explicitly designed to reduce those flexibilities. Its purpose is to push forward neoliberal economic restructuring on a global scale – privatization, deregulation, protection of property rights, and the dismantling of restrictions on trade and capital flows – with the objective of liberating global market forces from the fetters of the state and facilitating the creation of a single, seamless global market. It would, however, be inaccurate to characterize WTO rules as simply encoding neoliberal policy prescriptions for trade (Lang 2011). Neoliberalism, at the WTO as elsewhere, contains significant contradictions and its adoption has been only partial and uneven. In practice, WTO rules – the result of inter-state bargaining, shaped by power asymmetries among states and their efforts to avoid opening sensitive sectors of their own markets – have been highly selective, with extensive exceptions to liberalization, frequently skewed towards the interests of the powerful (Steinberg 2002).

While the GATT was virtually unknown to the general public and attracted little attention from civil society, as the WTO's authority expanded, it became a central target and rallying point for a diverse range of civil society actors. Plans to begin a new round of negotiations to further expand and deepen its trade rules sparked intense opposition from global civil society, manifest in the Seattle protests. Although the Seattle Ministerial collapsed due to disagreement among states, the Doha Round was nonetheless launched two years later. With the launch of the round, political opportunities for civil society mobilization – and thus the strategies of many NGOs – changed markedly. While civil society had been broadly united in opposing a new round of

WTO negotiations at Seattle, as it became apparent in subsequent years that their efforts to block the round had failed, reformist NGOs shifted to seeking ways to influence the process and outcome of the negotiations.

The Seattle protests drew unprecedented media and public attention to the WTO. In response to criticisms that it lacked transparency and suffered from a democratic deficit, the WTO made limited moves towards increasing its interaction with global civil society, including: hosting an annual Public Forum, accepting *amicus curiae* briefs in dispute settlement proceedings, offering “online chats” with the Director-General, derestricting some documents and increasing information dissemination through its website. Yet, there is no consultative mechanism for civil society and its access to the WTO remains severely constrained. While the UN is comparatively open and responsive, the WTO – and other economic institutions such as the IMF and (to a lesser extent) the World Bank – have been far more restrictive and impervious to concerns raised by global civil society (Smith 2008).

Global Civil Society in the Field of Multilateral Trade Governance

As the following analysis will show, civil society actors have been forced to struggle simply for the right to exist in the field of multilateral trade governance. Their ability to gain access to the field and be recognized as legitimate actors – and therefore have any chance of wielding influence – has depended upon their ability to mobilize necessary forms of field-specific capital. As Bourdieusian field theory underscores, their strategies must be understood in relation to the configuration and content of the field, which impose specific forms of struggle by providing opportunities for certain strategies while denying and excluding others. This section turns to analyzing how the advocacy of civil society actors has been transformed as they have struggled to equip themselves with the forms of capital necessary to become accepted as players

in this field and optimize their positions and influence within it. Civil society actors have strived to gain symbolic capital (or legitimation, recognition, esteem and authority) within the field by building and deploying technical expertise and constructing their advocacy campaigns around positions and arguments that accord with the neoliberal trade paradigm, as well as working concurrently to accumulate social capital (contacts and networks) and political capital (the ability to attract potential allies).

In seeking to enter the field of multilateral trade governance and influence decision-making at the WTO, civil society actors must contend with the formal decision-making procedures and institutional structure of the WTO, as well as the informal “rules of the game” that emerge out of the dynamics of the field. The field is centered on an elite and technocratic group of trade bureaucrats with a deep attachment to neoliberal ideology. Trade negotiators and Secretariat officials tend to understand trade in narrowly economic terms, divorced from political questions and normative disputes (Howse 2002). This has led to a privileging of the knowledge and authority of “experts” and resistance to what is seen as “political” interference in trade policymaking (Hannah 2011). The result is a secretive culture of decision-making, with an absence of transparency and resistance to public engagement.

Within the field of multilateral trade governance, neoliberal doctrine has the status of orthodoxy (Eagleton-Pierce 2012), supplying the fundamental, taken-for-granted assumptions about the economic and political world. The goal of liberalizing trade and “freeing” markets is taken as natural and self-evident; it is treated as common sense (Siles-Brügge 2013). Freeing market forces from “artificial” constraints – such as “barriers to trade” (increasingly broadly defined) – is believed to automatically and invariably generate increased efficiency and material well-being. With implicit faith in the utility-maximizing nature of liberalization, trade officials

are generally indifferent to questions related to the distribution of the benefits and burdens of trade liberalization or the effects of trade policies on other areas such as human rights, the environment, or health (Hannah 2011; Kapoor 2006).

Efforts by civil society to influence the multilateral trading system have consequently been viewed with suspicion by trade officials. Actors expressing criticism of trade liberalization or the WTO tend to be viewed as “special interest groups” who are either seeking to capture protectionist rents or are misguided and lack an accurate understanding of trade economics. Civil society interventions have historically been seen as troublesome and inappropriate intrusions into the proper domain of trade experts and a potential threat to the project of trade liberalization. Although the WTO has put in place the limited mechanisms to engage with global civil society described earlier, there are no formal institutional channels for civil society consultation or input into the decision-making process and, indeed, there has been profound resistance to its involvement.

For civil society actors, the field of multilateral trade governance is a “hostile field” (Evans and Kay 2008: 987). The attitudes of trade officials towards civil society actors and the issues they raise are frequently dismissive, as evident in the comments of Secretariat officials:

at the beginning the level of misunderstanding was just about, well, sky-high. It was really almost 100%... there was kind of a visceral reaction against [the WTO]. And we had things like the Seattle schmozzles and so forth – demonstrations of one kind or another, from people who basically believed it was all kinds of monstrous things.³

it wasn't our job [the WTO Secretariat's] to kind of jump into the debate and say 'no, we don't cause AIDS [laughs], and no, we're not the cause of most of the ills of the world, and no, we're not killing Indian farmers, and this is not our business, etc.'... if they're critical of it [the WTO], well that's their right, but at least they should know what to criticize [laughs].⁴

³ Interview, Geneva, July 2007.

⁴ Interview, Geneva, June 2007.

To trade officials, the arguments advanced by many civil society actors and their methods appear ridiculous – the product of a lack of “knowledge” or “understanding” of the WTO – or attributable to something more malicious. A WTO Director-General, for example, in a speech opening the WTO’s first Public Forum for civil society, referred to the Seattle protesters as “mindless, undemocratic enemies of the open society” whose “slogans are trite, shallow and superficial.”(WTO 2001) Such comments from trade officials demonstrate the “soft repression” (Ferree 2005) – the use of ridicule and stigma to delegitimize and silence – to which global civil society has been subject in this field. As one Secretariat official acknowledged, NGOs have historically been “demonized” within the WTO.⁵

Civil society actors seeking to engage in the field of multilateral trade governance start from a position severely lacking in power. They have no official status or claim to participate in this field, as the WTO is officially an inter-state organization, where outcomes are the product of negotiations among states, supported by the Secretariat. Moreover, not only are civil society actors in a subordinate position – lacking the official standing of states or another formal role or channel through which to influence decision-making – but their very *right to exist* in this field is denied or resisted by many of its other participants. As the quotes above indicate, the initial strategies employed by civil society actors – street protests, normative claims to social justice, and broad criticism of the neoliberal trade agenda – were not recognized as valid forms of struggle in this field, with the result that they were largely ignored and discredited. Their lack of the critical forms of capital valorized in the field – expert knowledge and positions grounded in the principles of neoliberalism – left civil society actors excluded and deprived of the right to speak in the field. These sources of capital play a powerful gatekeeping role in defining the

⁵ Interview, Geneva, March 2009.

boundaries of participation. Without such recognition, civil society's power to influence the internal workings of the WTO was severely circumscribed.

Marshalling Technical Expertise

Civil society actors have faced an uphill battle to be seen as credible and legitimate actors in the field of multilateral trade governance. This is, in their words, a struggle “to be taken seriously.”⁶ In this field, “seriousness” is viewed as a prerequisite for contributing to debates and deliberations over the appropriate design of multilateral trade rules, and its key marker is technical expertise. The ability to mobilize expertise represents a critical form of capital for civil society actors seeking to access core actors in the field and be seen as legitimate participants and interlocutors; without it, they are not recognized as credible or legitimate and effectively blocked from participation. As one respondent stated, unless they “master the technicalities of the negotiations” and “learn to talk to delegates at their level,” civil society actors face “a brick wall.”⁷ Marshalling technical expertise provides a point of entry – a way to penetrate the “brick wall” – and gain access to the field.

This has driven many NGOs to become increasingly “technocratic” in their advocacy directed at the WTO, expanding their level of technical expertise and capacity, as well as their emphasis on these attributes (Hopewell 2009; Mably 2006). Technical capacity includes in-depth knowledge of trade law and economics and the ability to engage with WTO rules, legal texts, and negotiating documents, conduct legal and economic research and analysis, and make substantive policy proposals in the context of WTO negotiations and dispute settlement. To provide an example, on the issue of tariffs – just one of many covered by WTO rules – NGOs have worked to develop the technical knowledge to engage with debates such as: What

⁶ This phrase appeared repeatedly in interviews.

⁷ Interview, Geneva, June 2007.

mechanisms should be used for determining tariff cuts in manufactured and agricultural goods, respectively? If formulas, how should they be structured (e.g., Swiss, tiered, blended), what coefficients should be used, what flexibilities should be available and how should they be designed, should an anti-concentration clause be included, and should there be additional sectoral negotiations? How should issues such as preference erosion and tariff escalation be addressed? What will be the impact in terms of real tariff cuts? This is only one example of the technical expertise NGOs have cultivated across the broad range of issues involved in the Doha Round.

An important part of “expertise” is being able to communicate in the language of the field. Actors are not considered credible unless they speak the technical language of trade: to quote one NGO representative, “if you don’t talk the language, you’ll look like you don’t know what you’re talking about and you won’t get real engagement [from officials].”⁸ However, the move by many NGOs towards adopting the technical language of trade bureaucrats and engaging in their debates has changed the nature of their advocacy – from articulating passionate and broad-based critiques of structural inequalities in the global economy and the damaging effects of trade liberalization and neoliberal policies to debating the design of a tariff reduction formula or safeguard mechanism. In addition, the language of trade policy is not neutral but laden with the inherent biases of economic liberalism: government regulation, for example, is a “non-tariff trade barrier” and any effort to limit “free” trade is labeled “protectionism.” Adopting such language limits the terms on which civil society actors can engage in contestation. At the WTO Public Forum, for example, the primary official venue for NGOs to interact with trade officials, words such as “neoliberalism” or “transnational corporation” (which would signal an outside paradigm) are virtually absent.

⁸ Interview, Geneva, June 2007.

Developing technical expertise has been essential for civil society actors to gain recognition within the field and battle its prejudices. As one NGO respondent stated, the attitudes of trade officials towards NGOs have changed in recent years “as NGOs have gotten a little more sophisticated in their analysis and done a better job of toning down the rhetoric and replacing it with research.”⁹ Similarly, another NGO attributed what success it had achieved to the fact that: “we showed that we’re technically competent, that we could speak their language, that we had rigor and substance, and that we weren’t just out there protesting.”¹⁰ Trade officials perceive a “great improvement” in civil society since Seattle “when it was just an outcry against globalization and the WTO” and report that the “level of sophistication of their understanding of the WTO” and the “quality of work done” has improved substantially.¹¹ Due to this change, approved NGOs are now permitted to enter the WTO building, because, to quote one official, they have “calmed down... while previously it was ‘You mean these people that rioted in Seattle? Give them access to the building? No way.’”¹² According to a Secretariat official, “now, our relationship with civil society – it’s professional, it’s substantial. You still have a group of very critical civil society organizations, but it was 70% – now it is maybe 15% of civil society organizations that are critical.”¹³

There is a clear relationship between the attitudes and standards set by trade officials and the way many NGOs now work to define and differentiate themselves, as evident in the following statement from one NGO representative:

I can’t speak for the NGO community, though, because I’m like a special animal, in that I’m never protesting, I’m wearing a suit when I go, I’m quite reasonable

⁹ Interview, Geneva, June 2007.

¹⁰ Interview, Geneva, June 2007.

¹¹ Interviews, Geneva, June - July 2007.

¹² Interview, Geneva, March 2009.

¹³ Interview, Geneva, March 2009.

and nice, you know. There are some other NGOs who are maybe perceived as more troublemakers, or that kind of thing ... there's differences in NGOs.¹⁴

Some NGOs are assimilating the technocratic standards of the field and turning those same standards of evaluation and criticism against other civil society actors. This is apparent, for example, in the way many NGOs emphasize and contrast their ability to engage in hard “research” with the mere “rhetoric” of others.¹⁵ NGOs sound increasingly like trade officials as they criticize other civil society actors for not sufficiently “understanding what the WTO is about,” as one interview respondent stated.¹⁶ This is evident in a publication from Freidrich-Ebert-Stiftung (FES), a German NGO with offices in Geneva, referring to various civil society actors in Mexico:

Some NGO discussions of economic development strategies have been of low analytic content. The WTO ... is seen as an archetype of organizations that, like the IMF and the World Bank, are supposedly behind the advance of globalization, which is in turn blamed for a vast array of complaints such as low economic growth, environmental degradation, poverty, and unequal income distribution. They rarely present sound and systematic evidence to substantiate their claims.¹⁷

Likewise, one prominent NGO publically disparaged large parts of global civil society as “globaphobes”, in order to set apart and contrast its own campaign.¹⁸ In this behavior, we can see these civil society actors struggling to assert their right to exist in the field and be received as legitimate participants by distinguishing themselves from other (less desirable, less adapted) elements of civil society. Key actors within global civil society are thereby not only adapting to the technocratic standards dominant within the field of multilateral trade governance, but reproducing those standards of judgment.

¹⁴ Interview, Geneva, June 2007.

¹⁵ NGO representatives frequently drew this distinction.

¹⁶ Interview, Geneva, May 2009.

¹⁷ FES, “Mexico in the WTO Debate,” Briefing Paper, 2003.

¹⁸ Oxfam’s “Rigged Rules and Double Standards”, 2002, p. 7.

Allying with Recognized Actors

Civil society actors have also struggled to increase their power in the field by building political capital, or cultivating alliances with other actors in the field – particularly states, who unlike civil society have official standing at the WTO and are seen as rightful actors within the field. Forming alliances with states provides civil society with a greater set of opportunities to engage in the field and enhances their legitimacy and potential impact. Yet the need to cultivate political capital within the field has further increased the pressure on global civil society to conform to its norms and standards of legitimacy by becoming more technocratic and neoliberal in their advocacy.

For NGOs concerned with international development, part of their motivation to form alliances also stems from the desire to support developing countries in WTO negotiations (Hannah 2014; Scott 2014). Many developing countries – particularly least developed countries (LDCs) – are severely under-resourced and suffer an acute lack of technical expertise; in other words, they are deficient in a key form of capital necessary to exert influence within this field. In part due to this lack of technical capacity, the last round of negotiations – the Uruguay Round concluded in 1994 – was highly unbalanced and imposed significant costs on developing countries (Gallagher 2008). There have been concerns that this would be repeated in the current Doha Round. This developing country capacity gap created a need that NGOs could help to fill. Many responded by taking on a role of supplying research and analytical capacity, policy and legal briefs, coordination, media talking points, messaging, and formal negotiating proposals for countries. In interviews, negotiators indicated that “civil society has played a big role in working to inform LDCs of their rights in the WTO system and what their positions should be.”¹⁹ Their

¹⁹ Interview, Geneva, February 2009.

ability to marshal expertise to support developing countries has provided an important means for NGOs to get directly involved and influence the negotiations, and many NGOs now view this as one of their key roles. NGO efforts to cultivate allies are not limited to developing countries; NGOs working in other areas – such as environmental groups – have also formed alliances with developed countries. In fact, these ties have become so close that, in some instances, NGOs accompany negotiators from individual member-states at WTO Ministerial Meetings as part of their delegations.²⁰

Yet this role comes with considerable challenges. At the time of Seattle, developing countries in particular were highly suspicious and mistrustful of NGOs, associating them with the issues of labor and environmental standards that they strongly opposed. As a result, NGOs felt they “had to gain their trust. And to do that we had to show them that we could be helpful – to show how we could support *their* agenda.”²¹ Now, expertise provides NGOs with something that they can offer to developing country delegations, but there are set parameters around this:

Delegates know who they want to hear from ... they're not advocacy officers or public relations people; they are a lawyer or technical expert who happens to be working for a particular NGO. Delegates are not looking for positions or statements. They're looking for technical or legal inputs.²²

NGOs have increased their access to trade officials by de-emphasizing advocacy and instead emphasizing their specialist research, policy, and technical capacity. They effectively have had to disguise the fact they are doing advocacy: as one stated, “part of the reason we were effective was because delegates didn't feel we had an agenda.”²³ The need to accumulate political capital,

²⁰ Reported in interviews with negotiators and civil society, September 2008-June 2009.

²¹ Interview, Geneva, March 2009.

²² Interview, NGO representative, Geneva, June 2007.

²³ Interview, Geneva, May 2009.

or allies, within the field of multilateral trade governance has thus further contributed to changes in the nature of civil society advocacy.

Cultivating Professional Networks

The need to accumulate social capital has had a similar effect. WTO negotiations and dispute settlement are highly secretive, occurring behind closed doors with limited information available to the public. Consequently, NGOs are dependent on cultivating social capital – networks of personal relationships with core actors in the field such as WTO negotiators and Secretariat officials – to gain accurate and up-to-date information about what is occurring within the institution. In addition to being an important source of information, in the absence of formal channels for consultation, such relationships are also a key source of access to decision-makers. NGOs stressed the importance of building relationships of trust and confidence with trade officials:

it's all relationships ... that's why you have to be careful what you say, who you attribute what you say to, how you present yourself, all that stuff. It's very personal relationship-based here, very diplomacy-oriented Everything here is relationship-building.²⁴

Trade officials confirmed the centrality of personal relationships in their engagement with civil society actors:

the ones here, we build up very close relationships with them. You can get to know them privately, have a drink with them, talk to them. You can separate personal from professional identities. People get to know you on a personal level. You can establish relations in Geneva.²⁵

However, the need to build such relationships intensifies the pressure on civil society to become more like the actors they are targeting, to gain acceptance and esteem by displaying technical expertise and positions in accordance with the neoliberal trade paradigm. As a result, civil

²⁴ Interview, Geneva, June 2007.

²⁵ Interview, Secretariat official, Geneva, March 2009.

society actors have increasingly come to resemble trade officials in their behavior and discourse. Indeed, the gap between many NGOs and trade officials has narrowed to such an extent that it is now common for personnel to move between positions working for NGOs, the WTO Secretariat and state delegations, which would have been improbable at the time of Seattle.²⁶ While developing social capital enables civil society actors to operate more effectively within the field, the necessity of fostering and maintaining their relationships with trade officials also constrains their ability to engage in critique.

Shifting to Neoliberal Advocacy Positions

The same pressures that have led many civil society organizations to strive to develop technical expertise have driven a parallel shift in the substance of their advocacy, as part of their efforts to gain symbolic capital, or legitimacy, and combat their exclusion from the field. NGOs identify a range of issues, including labor protections, tariff cuts for developing countries, and agricultural subsidies, on which they have weakened their advocacy stances. Moreover, many have ceased to publically question the WTO's objective of trade liberalization. NGOs have generally shifted from broader positions of opposition to trade liberalization to more targeted positions, and often the issues they have decided to focus on – and where they have received the most favorable reception – are ones that fit within the neoliberal trade paradigm, by seeking further trade and market liberalization as a means of pursuing development, environmental and other objectives. Again, as with the turn to technical expertise, we see how the field shapes the

²⁶ For example, a former trade negotiator for an African state joined the staff of Oxfam, and later the Secretariat; another Oxfam staffer went on to work for a leading international trade law firm; several negotiators and Secretariat officials have gone on to work for ICTSD; staff from ICTSD have gone on to work for the Secretariat; and several NGOs have been created by former negotiators (Iqsensato, IDEAS Centre, CUTS Geneva).

nature of civil society advocacy by creating distinct opportunities for certain strategies while denying others. As one NGO representative stated, “we move where we see openness.”²⁷

One of the issues, for example, where NGOs have had most success is fisheries subsidies, in a campaign led by the World Wildlife Fund (WWF). WWF had been active since the 1990s in trying to draw attention to the negative effects of trade liberalization and WTO rules on the environment. But by the start of the Doha Round in 2001, it had significantly restructured its campaign. According to a representative, the organization stopped engaging on a number of issues “because we felt we weren’t going to get what we wanted in terms of outcomes and we wanted to see where we really could have an impact.” It came to realize “the benefits of specializing” in seeking to use the WTO to reduce fisheries subsidies, which contribute to overfishing and depletion of fish stocks.²⁸ The fisheries subsidies issue was “more concrete” and looked like “an easy sell” because it fit neatly within the neoliberal paradigm (which opposes subsidies as a violation of the free market principles of economic efficiency and competitiveness) and could therefore attract support within the WTO:

We saw convergence. Subsidies reform is a core WTO business and it provided something tangible that the WTO could do on the environment. We thought we could provide them with green political cover – a way for the WTO to play a role in sustainable development.²⁹

The subsidies issue also provided the opportunity for WWF – along with Greenpeace, Friends of the Earth, Centre for International Environmental Law (CIEL) and other environmental NGOs who have embraced the issue – to form alliances with other actors in the field, specifically states and national industries with low levels of subsidization (e.g., the US and the other members of the “Friends of Fish” group) who have an interest in seeking to reduce the subsidies provided by

²⁷ Interview, Geneva, May 2009.

²⁸ Interview, Geneva, April 2009.

²⁹ *Ibid.*

their competitors (Japan, China). By the standards of most civil society interaction with the WTO, this strategy was highly effective: fisheries subsidies were designated a special item in the negotiations; the NGOs indicate that they have found “some of our footprint and some of our language” reflected in states’ negotiating proposals; and WTO officials frequently point to the issue as evidence of the organization’s openness to civil society.³⁰

Another example is the issue of reducing rich country agricultural subsidies and improving developing country access to these markets. Oxfam, the international development NGO, is a key proponent of this issue. Previously, Oxfam had been part of a group of civil society actors demanding that the authority of the WTO be rolled back and opposing the launch of a new round of negotiations. However, with the launch of its Make Trade Fair campaign in 2002, Oxfam’s approach changed significantly, embracing agricultural trade liberalization in rich countries as a key means of fostering poverty reduction and development (Ilcan and Lacey 2006). Oxfam’s new campaign was “welcomed” by the WTO Director-General, who applauded its “sound arguments” (WTO 2002), along with other neoliberal advocates such as *The Washington Post* (2002), which praised Oxfam’s “break with its [anti-globalization] allies” in showing “uncharacteristic support for free-market economics” and “throwing its considerable prestige behind the pro-trade agenda.” Like the environmental NGOs mentioned above, Oxfam was also able to capitalize on divisions among different actors in the field to form alliances; it has worked closely with West African cotton producing countries, as well as with Brazil and its export-oriented agribusiness sector who are interested in reducing subsidies in its primary competitors, the US and EU (Eagleton-Pierce 2012; Hopewell 2013). Oxfam is not alone but one of many NGOs – including the Institute for Agriculture and Trade Policy (IATP), CUTS

³⁰ *Ibid.*

International, IDEAS Centre, International Center for Trade and Sustainable Development (ICTSD), ActionAid, Quaker United Nations Organization (QUNO), Agency for Co-operation & Research in Development (ACORD) and Third World Network – who have adopted the issue of agricultural subsidies and market access as a central aspect of their advocacy campaigns.

A further area that many NGOs have increasingly focused on is GATS Mode 4, the temporary migration of labor across borders to supply services. The campaign surrounding Mode 4 fits neatly with the principles of neoliberalism, which would demand free trade in *all* goods and factors of production, including labor. Despite progressive liberalization in other areas of the global economy, labor mobility remains highly restricted with little liberalization under the GATT/WTO or elsewhere. During the Doha Round, many NGOs – alongside actors such as the Secretariat and the World Bank – began actively promoting labor “exports” as a means for poor countries to foster economic growth and development. Given their low wages and large labor supplies, this has been framed as an area where developing countries have a competitive advantage and could therefore make major gains from liberalization in the Doha Round. Not surprisingly, calls for Mode 4 liberalization have met with strong resistance from the US and other Northern states, which are its prime targets. NGOs – including ICTSD, QUNO, Oxfam, IDEAS Centre and the Overseas Development Institute – have supported developing countries in seeking expanded market access under Mode 4, emphasizing the significant economic value of remittances supplied by migrant labor working abroad and presenting labor exports as a solution to the development challenges faced by poor countries. In a public presentation at a WTO symposium, for example, Oxfam heralded Mode 4 as presenting

a “great opportunity,” potentially “giving developing countries an opportunity to exploit labor as an abundant resource.”³¹

Critics, however, point out that Mode 4 trade raises serious concerns related to the welfare of temporary labor migrants, their vulnerability to exploitation and violations of their human rights, and the racialized and gendered nature of such “trade” (Broude 2010;). One could argue that the framing of labor exports as a path to development – embraced and propagated by many NGOs – represents the ultimate embodiment of the commodifying logic of global neoliberalism: reducing human beings to tradable commodities to be exported by states as a development strategy. Yet, this is an issue that many influential NGOs have thrown their weight behind – organizing briefings to publicize the economic benefits of Mode 4 trade, commissioning and disseminating research and proposals for how it could be operationalized in the Doha Round, and running strategy sessions for developing countries and LDCs on how to overcome resistance from Northern states. This activity by NGOs has played an important role in helping to promote and legitimize the framing of temporary migration as a trade issue and in providing technical support to developing countries on the issue.

NGOs have chosen to focus their advocacy on issues like agricultural and fisheries subsidies and Mode 4 because these are issues on which their demands accord with the dominant values of the field. NGOs recognize that being able to appeal to the pro-liberalization orientation of the field provides a “compelling story”³² and “helps to push the issue up on the agenda.”³³

Conversely, issues that involve restricting market liberalization are received negatively and fail

³¹ Presentation by Joy Katagekwa, Oxfam International, “Economic Implications of Mode 4 Trade,” at WTO Symposium on Mode 4, September 2008.

³² Interview, NGO representative, Geneva, June 2009.

³³ Interview, Geneva, April 2009.

to gain the same kind of legitimacy. The barriers involved in trying to advance such issues have caused many NGOs to move away from them, as one representative explained:

At the beginning, we tried to think about how we could promote an alternative vision for the international trading system and really shift the track it is on. But over time we realized that wasn't in our reach – there's little appetite for significant reform. So we have focused on where change is likely to happen.³⁴

The respondent indicated that the NGO had initially wanted to advance several issues related to global trade regulation that it considered important, including policies to address market concentration and the power of transnational corporations and commodity agreements to raise incomes for developing country producers:

But we didn't think these issues were going to go anywhere at the WTO. They are totally contrary to the basic philosophy of the WTO, which is to free markets from government intervention... So instead we pursued other issues [like agricultural subsidies] that we thought were more feasible.

Although many NGOs began with aspects of their campaigns that accorded less neatly with a neoliberal framework, these have fallen to the background as the pro-liberalization elements have taken prominence.

While the engagement of WTO negotiators and Secretariat officials with global civil society has increased, it remains highly selective – skewed towards actors and issues that fit within and support their own agendas (Wilkinson 2005). As one Secretariat official indicated:

They [NGOs] can say things we can't. Like on agriculture subsidies, there's no one in this organization [the Secretariat] that likes them, but we couldn't say that because we can't criticize our members. We couldn't say that in the beginning, but now [because of the work of NGOs on the issue] we can say that in a meeting and no one will oppose you. Everyone pretty much agrees they're bad.³⁵

From the perspective of the WTO Secretariat, the work of NGOs has been instrumental in drawing media attention, mobilizing public support and cementing a widespread consensus on

³⁴ Interview, Geneva, May 2009.

³⁵ Interview, Geneva, March 2009.

the need to reduce agricultural subsidies (Margulis 2010), which has helped add considerable fuel to the liberalization project. Other actors in the field – whether states, business actors or the Secretariat – are engaged in their own struggles; they too are seeking symbolic capital to enhance their power and ability to achieve their desired outcomes in WTO negotiations and dispute settlement. Such actors are eager to ally with and promote the campaigns of civil society actors when it legitimates and strengthens their own positions and objectives.

The dynamics of the field legitimate and reward certain forms of struggle – elevating the prominence of civil society actors and campaigns that correspond with its technocratic and neoliberal values – while delegitimizing and thrusting others to the margins. Oxfam, for example, is now likely the most prominent and influential NGO in the field; embraced by the Secretariat, many developing countries and the media, it now often features centrally in WTO events, such as the Public Forum, and has become the primary NGO cited in media coverage of the WTO. Oxfam is put forward as representing the voice of global civil society, even though some elements of civil society reject its pro-trade stance. It is also the pro-liberalization elements of Oxfam’s campaign – its calls to “make trade work for the poor” and “level the playing field” by reducing trade barriers and distortions in rich countries – that have attracted attention. Initially, Oxfam’s campaign included other more critical elements – such as calls for the creation of an international commodity institution and a global anti-trust mechanism³⁶ – but these were largely ignored, with the result that Oxfam eventually came to make little mention of these proposals in its advocacy. Similarly, while some NGOs, such as ActionAid, Oxfam and IATP, began with a broader critique of WTO intellectual property rules – arguing that they would severely undermine the ability of poor countries to develop and require a massive income

³⁶ See, for example, “Oxfam's response to Walden's Bello's Article on Make Trade Fair,” May 2, 2002.

transfer from the Global South to North – over time many of these arguments largely fell by the wayside, as what came to the fore of their campaigns was a much more limited and narrow agenda of securing exemptions to ensure access to medicines. In the process, attention to more fundamental problems with the TRIPs agreement and questions about its legitimacy were brushed aside, leaving the agreement now securely entrenched and unchallenged. In another example, while environmental groups encountered a receptive audience for their advocacy against fisheries subsidies, concerns raised by some of the same organizations, such as Greenpeace and Friends of the Earth, that trade liberalization could increase pressure on fish stocks, were ignored by trade officials. When civil society actors advance arguments that depart significantly from the dominant values of the field, they are likely to be deemed irrelevant and simply ignored.

Even where NGOs have been seemingly most successful in advancing more heterodox ideas and agendas, they are still highly constrained by the orthodoxy of the field. This is evident, for example, in NGO efforts to help developing countries – represented by the Group of 33 (G33) – secure flexibilities to protect their agriculture sectors in the Doha Round. To promote food security and protect rural livelihoods, the G33 has sought a “special products” (SPs) exemption that would allow developing countries to shield some products from tariff cuts, a “special safeguard mechanism” (SSM) that would allow them to raise tariffs in response to an import surge and, most recently, under India’s leadership, changes to WTO subsidy rules to enable developing countries to engage in public food stockholding. Due to strong opposition from the US, these have been among the most contentious issues in the negotiations – the SSM was a central factor in the breakdown of the 2008 Ministerial, while food stockholding nearly prevented agreement on, and subsequently adoption of, the 2013 Bali Package (Wilkinson,

Hannah, and Scott 2014). With extensive support from NGOs, the G33 has ensured that the SSM and SPs will be part of any final Doha agreement and secured an interim due restraint mechanism making food stockholding immune from WTO challenges (Eagleton-Pierce 2012; Margulis 2013). NGOs – such as ICTSD, TWN, Focus on the Global South, Oxfam and the Catholic Agency for Overseas Development – have played an essential role in advancing these issues. NGO advocacy has helped to enhance recognition of the food security concerns of developing countries, while undermining powerful opponents such as the US (Eagleton-Pierce 2012). Particularly since the G33 lacks its own internal research capacity, high-quality research and technical analysis provided by NGOs – especially ICTSD – has been critical to legitimizing the G33 and boosting its credibility (Mably 2009).

Yet, as Eagleton-Pierce (2012) discusses, while these accomplishments are far from trivial, this is a considerable distance from where the initial civil society campaigns that helped to put these issues on the agenda at the WTO began. Many of the key civil society actors involved started from a radical stance critiquing the negative impacts of the liberal trading regime on global food security. Over time, however, the “full heretical force” of their initial critique “has been partially sidelined or lost as the negotiations shifted into conventional bargaining” over market access demands and NGOs became embroiled in highly technical debates about how (relatively narrow) instruments like the SSM and SPs would be designed and operationalized (Eagleton-Pierce 2012: 145). From condemning the orthodox trade vision, NGO advocacy has instead shifted to struggling “within the confines of WTO categories and rules to reduce potential harmful effects of liberalizing trends for poor farmers.”(Eagleton-Pierce 2012: 121) Although measures such as the SSM and SPs deviate from the strict dictates of neoliberalism – by creating some very limited exceptions to liberalization for developing

countries – this is far from unusual within the GATT/WTO system, which has always contained various exemptions and safeguards to allow states to protect sensitive sectors (Messerlin and Woolcock 2012). Such exemptions have been considered integral to the functioning of the system, an “escape clause” or “safety valve” enabling the larger project of liberalization to move forward. Thus, the G33 agenda supported by many NGOs represents, at most, a rather weak critique: while it departs from the neoliberal orthodoxy, it does so only in a very limited way – and one that makes sense to, and fits within, the longstanding workings of the multilateral trading system (Eagleton-Pierce 2012).

Internal Debates and Struggles within Global Civil Society

Of those civil society actors seeking to engage with the WTO, the most successful – in terms of their ability to access the field and be received as legitimate players within it – have increasingly moved towards more technocratic forms of advocacy, closer relationships with policymakers, and campaigns that resonate with the dominant values and orientation of the field. Civil society actors who have successfully affected this transformation have risen to prominence and been brought closer to the center of power. Such actors are increasingly assuming the role of “insiders” – accepted members of the trade community surrounding the WTO. They have intentionally cultivated the forms of capital valued in this field and demonstrated an ability and willingness to adapt to its norms, gaining greater inclusion and influence as a result. However, not all civil society actors are equally willing or able to make such a shift. As one NGO respondent observed, this is “good for some NGOs and civil society groups and not good for others.”³⁷ The increased interaction between the WTO and civil society has generally been

³⁷ Interview, June 2007.

limited to a core group of technically-savvy, well-resourced, Geneva-based NGOs, while large segments of civil society remain outside such interaction.

There are, for instance, civil society actors who would like to engage with and have a voice in debates and deliberations at the WTO but remain highly marginalized within this field, including many grassroots, national- or regional-level NGOs, often based in the Global South. Without an office in Geneva, these organizations are far removed from what is occurring at the WTO; they often lack the information, research capacity and technical sophistication to engage with the specifics of WTO negotiations and may be less technocratic and more political in their approach. One Southern NGO, for example, recognizing the importance of a presence in Geneva, opened an office there for a brief period, but was soon forced to close it due to the high costs involved.³⁸ Many developing country delegates indicate that their domestic NGOs lack the technical capacity to supply them with useful inputs for the negotiations (such as an analysis of the impact of different tariff and subsidy proposals, or a specific design of the SSM) – and which, instead, they rely on the major Geneva-based NGOs to provide.³⁹ Many grassroots NGOs express criticism of this intense emphasis on technical expertise and the crowding-out of more political approaches; as one representative of an African NGO aptly expressed it, “you don’t need the technical language to say ‘this isn’t fair’.”⁴⁰

There has also been considerable debate and controversy within civil society over the pro-liberalization stance taken by many of the major Geneva-based NGOs. This has played out most publically in debates surrounding Oxfam’s Make Trade Fair campaign, with some civil society actors strongly critical of Oxfam’s emphasis on “unlocking” the potential of trade to “lift

³⁸ Interview with NGO representative, January 2009.

³⁹ Interviews, Geneva, September 2008-June 2009.

⁴⁰ Civil society conference, Geneva, November 2008.

the poor out of poverty.”⁴¹ Walden Bello, for example, Executive Director of Focus on the Global South, criticized Oxfam for promoting “the paradigm of export-oriented growth,” as “the wrong focus and wrong direction for the movement against corporate-driven globalization,” arguing that instead “the central problem is the paradigm of free trade that the WTO is relentlessly imposing on the global trading system.”⁴² Even within Oxfam, the pro-liberalization stance of its campaign generated considerable internal division, including prompting the resignation of a senior trade advisor in protest.⁴³

While not surprising that Oxfam has received significant attention, given its status as one of the world’s largest and most prominent NGOs, its position is far from unique: the cause of improving agriculture market access and reducing subsidies has been near-universally embraced by the major NGOs. There are other civil society actors – particularly in the rejectionist camp – who oppose this stance. Rather than seeing trade liberalization as a potential engine of economic development, many in the food sovereignty movement, for instance, fundamentally oppose the Doha Round and refuse to recognize the WTO’s authority in agricultural governance. From the perspective of Via Campesina, for example, a global peasant movement, “the WTO is a fundamentally flawed institution that bends the economic playing field in favor of developed countries and large MNCs at the cost of the livelihoods of the poor ... agriculture has no place in the WTO.”⁴⁴ Thus, the movement by some organizations toward advocacy strategies and goals that accord with the dominant technocratic and neoliberal values of the field of multilateral trade

⁴¹ “Rigged Rules and Double Standards,” 2002.

⁴² Bello, Walden. “What’s Wrong with the Oxfam Trade Campaign.” Open letter, April 26, 2002.

⁴³ Interview, Geneva, September 2008.

⁴⁴ La Via Campesina, “India – Farmers Support GOI’s pro-Farmer position at WTO, call for Agriculture out of WTO,” August 21, 2014.

governance is far from universal and has been the subject of considerable contestation and struggle within civil society.

Conclusion

The case of the WTO highlights the opportunities and challenges faced by global civil society in trying to engage with and influence global economic governance. Through this case study, I have argued that global civil society is not an independent or exogenous force in global governance, but shaped and influenced by the institution it targets. Drawing on Bourdieu's field theory, I have shown that many key civil society actors seeking to participate in the field of multilateral trade governance have been drawn towards increasingly technocratic and neoliberal forms of advocacy. Field theory helps us to understand this shift by seeing the strategic practices of these civil society actors as relational to the logic of the field in which they seek to operate. The changes described here – from protesting in the streets dressed in turtle costumes holding placards stating “Stop the WTO” to wearing suits in the hallways of the WTO headquarters in Geneva, wielding briefing notes based on econometric modeling and legal analysis, with arguments about how trade liberalization serves to aid poor farmers or conserve ocean fisheries, and building professional relationships with trade officials and alliances with states – all illustrate how the field has imposed certain forms of struggle. The strategies of civil society actors have been guided by the forms of capital valued in the field and its invisible “rules of the game.” Civil society actors have strived to gain access to the field and recognition as legitimate actors by equipping themselves with its prime sources of symbolic capital – technical expertise and neoliberal argumentation – and cultivating social and political capital in the form of professional networks and alliances with recognized actors in the field. In doing so, they are struggling against the gatekeeping forces working to exclude them from the field and seeking to

increase the likelihood that their interventions will be successful and have an impact on the WTO.

Many (reformist) civil society actors have successfully managed to become players in this field by adapting to its logic. Yet one consequence is that their tacit acceptance of this logic legitimates and reinforces the continued exclusion of other actors who are unwilling or unable to conform to the demands of the field and marshal its requisite forms of capital. Moreover, their advocacy efforts are increasingly operating within the dominant trade paradigm rather than challenging it and thereby becoming a source of legitimation for efforts to continue the liberalization of global markets. Bourdieusian field theory thus offers important insight into the mechanisms by which the transformative potential of civil society is suppressed and it instead comes to play an important role in stabilizing and reproducing the hegemony of neoliberalism in the existing social order.

The Doha Round has now been at an impasse since the 2008 Ministerial, due to a stalemate between traditionally dominant states (the US and EU) and emerging challengers (China, India and Brazil) (Hopewell 2015). With the apparent breakdown of the round, civil society interest and activity surrounding the WTO has waned considerably (Oxfam, for example, did not even send a representative to the 2013 Bali Ministerial, deciding “there was just not enough on the table to merit the travel and expense”),⁴⁵ although certain NGOs, such as ICTSD, IATP, TWN, and the IDEAS Centre, remain actively engaged, particularly with the intensification of negotiating activity surrounding the Bali Ministerial and its aftermath. While the future of the round is uncertain, negotiations continue and the WTO’s existing rules and dispute settlement procedures remain in force and actively in use. Meanwhile, a substantial

⁴⁵ Oxfam blog post by Romain Benicchio, Senior Policy Advisor, “The WTO tries to prove it is relevant, but for whom?,” December 3, 2013.

amount of negotiating activity has moved to bilateral and regional trade agreements, such as the Trans-Pacific Partnership, the US-EU Transatlantic Trade and Investment Partnership, and others. Given the potential significance of these agreements, understanding the role and impact of civil society in these emerging areas of global trade regulation, and how the dynamics of their advocacy compare to the WTO, represents an important avenue for future research.

Although this study has focused on the governance of international trade, there are also reasons to expect many of the same dynamics to be present in other arenas of global economic governance. As Alison Van Rooy (2004) argues, contests over legitimacy – what she terms the “global legitimacy game” – are an important element of contemporary debates about globalization; ultimately, what is at stake is a struggle over who gets to shape the rules that govern the global political economy. Since different governance fields have distinct constellations of actors, power dynamics, and privileged forms of capital, the specific measures of legitimacy and how they affect civil society may vary. But, the conditions we observe in the field of multilateral trade governance – the privileging of expertise, economic discourses, and neoliberal ideology – are far from unique to that institution, suggesting that many of the same pressures on global civil society identified here are likely to be at work beyond the WTO.

Global economic governance institutions now routinely trumpet the importance and value of their interactions with civil society. However, this study suggests the need to look critically at these claims and the interactions that underlie them. The case of the WTO demonstrates how the transformative potential of global civil society – its ability to introduce alternative discourses and perspectives into debates and deliberations, broaden participation, and foster global democracy – can be inhibited by the global governance institutions themselves and the dynamics of the fields in which they are situated.

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