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Contesting Global Civil Society's Legitimacy Claims: Evaluating International Non-Governmental Organizations (INGOs)' Representation of and Accountability to Beneficiaries

Cazadira Fediva Tamzil

Department of Government, London School of Economics and Political Science,
cazadira.fediva@gmail.com

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**CONTESTING GLOBAL CIVIL SOCIETY'S LEGITIMACY CLAIMS:
EVALUATING INTERNATIONAL NON-GOVERNMENTAL
ORGANIZATIONS (INGOS)' REPRESENTATION OF AND
ACCOUNTABILITY TO BENEFICIARIES**

Cazadira Fediva Tamzil

Department of Government, London School of Economics and Political Science

Email: cazadira.fediva@gmail.com

Abstract:

The global civil society is often regarded as a progressive moral force that provides advocacy and protection of marginalized groups in the global political arena. Nevertheless, departing from the belief that civil society has great power and influence over global dynamics, it sees that the legitimacy claims they articulate and articulated by academics are essential to be evaluated, especially with regard to their representation and accountability groups and individual beneficiaries. This paper concludes that the claims of legitimacy of civil society are less justifiable, both normatively and empirically. From the normative point of view, claims for civil society representation are problematic because they are often less ethical and thus have a counterproductive effect on the benefit of beneficiaries. In addition, they are more accountable to donors and the sustainability of related institutions than the interests of beneficiaries. From the empirical point of view, the legitimacy of civil society is also questionable because it is now emerging discourses from their own beneficiaries who oppose the actions of representatives and the lack of accountability demonstrated by International Non-Governmental Organizations over Beneficiaries. This paper concludes with a recommendation to the International NGOs to put the Beneficiaries' interests as top priority and stop projecting beneficiaries as passive, mute, and without political agency.

Keyword: *Civil Society, Non-Governmental Organization, Advocacy, Legitimacy, Beneficiaries, Representation, Accountability.*

Abstrak:

Masyarakat sipil global (global civil society) seringkali dianggap sebagai kekuatan moral progresif yang memberikan pembelaan dan perlindungan terhadap kelompok termarginalisasi dalam arena politik global. Namun demikian, berangkat dari keyakinan bahwa masyarakat sipil memiliki kekuatan dan pengaruh yang besar terhadap dinamika global, tulisan ini menilai bahwa klaim-klaim legitimasi yang mereka utarakan sendiri maupun disampaikan oleh para akademisi sangat penting untuk dievaluasi, khususnya yang berkenaan dengan representasi dan akuntabilitas mereka terhadap kelompok dan individu penerima manfaat (beneficiaries). Tulisan ini berkesimpulan bahwa klaim-klaim legitimasi masyarakat sipil kurang dapat dijustifikasi, baik secara normatif maupun empiris. Dari sisi normatif, klaim representasi masyarakat sipil bermasalah karena seringkali kurang etis dan justru menimbulkan efek kontraproduktif terhadap kemaslahatan beneficiaries. Selain itu, mereka lebih akuntabel terhadap donor dan keberlangsungan institusi terkait dibandingkan pokok kepentingan para beneficiaries. Dari segi empiris, legitimasi masyarakat sipil pun dipertanyakan karena kini bermunculan diskursus-diskursus dari para beneficiaries mereka sendiri yang menentang aksi representative yang dilakukan serta minimnya akuntabilitas ditunjukkan Lembaga Swadaya Masyarakat Internasional terhadap para "Beneficiaries" Penerima Manfaat. Tulisan ini diakhiri dengan rekomendasi terhadap LSM Internasional agar kembali menjadikan kepentingan Penerima Manfaat sebagai prioritas utama dan berhenti memproyeksikan beneficiaries sebagai pihak yang pasif, mute, dan tidak memiliki agensi politik.

Kata Kunci: *Masyarakat Sipil, Organisasi Non-Pemerintah, Advokasi; Legitimasi, Beneficiaries, Representasi, Akuntabilitas.*

INTRODUCTION

Heralded as a progressive moral force or defender of the weak and marginalized, global civil society's rise in the global political arena is generally seen in a positive light and its legitimacy rarely positioned as an object of academic inquiry. This essay neither seeks to reproduce this over-glorification of global civil society or propose a complete denial of all of the good works that they have done in various fields; promotion of human rights and environmental norms, injection of a gender-sensitive perspective, and others. Instead, what this essay seeks to do is discard the normative protective cloak normally worn by global civil society, and as Mercer (2002) puts it, see them for *who they actually really are* instead of what *they are often imagined to be*. Specifically, this essay answers Hahn and Holzscheiter's (2013) call for a deeper interrogation into global civil society's legitimacy claims, specifically ones which are directly related to their relationship with the 'weak and marginalized', or in other words those whom they call their 'beneficiaries'. Although the focus of this essay is on International Non-Governmental Organizations (INGOs) as the most prominent category of global civil society (Gemmill & Bamidele-Izu, 2002; Willetts, 2010), this essay accepts that INGOs are not the sole component of global civil society and thus accept that its conclusions may be limited to this type of actor. That limitation notwithstanding, this essay hopes to underscore how global civil society wields strong discursive and also now material power, and that it would potentially be catastrophic for scholars and policymakers to falsely perceive them as inherently good-natured beings whose global ascendance can or should go completely unchecked.

Ultimately, this essay argues that INGOs' problematic representation of and lack of accountability to their beneficiaries, which are endogenously and exogenously-driven, have caused NGOs to come under attack from the very people they claim to speak for and defend. Thus, their legitimacy claims are rendered *unjustified* on the basis of both empirical and normative grounds. In the first section, conceptual definitions of what this essay means by 'global civil society', 'INGOs' and their legitimacy claims are served. Next, this essay interrogates INGOs' representations of their 'weak and marginalized' beneficiaries, and argues how they are *normatively* problematic for reproducing a North/South hierarchy, not firmly grounded in the real demands of beneficiaries as well as morally dubious for affirming certain stereotypes and jeopardizing beneficiaries' dignity. The third section then delves into the question of INGOs' accountability, highlighting how INGOs' accountability is normatively problematic as they tend to be

more accountable ‘upwards’ to donors than ‘downwards’ to their beneficiaries. Next, this essay puts forth the notion that INGOs’ problematic representation of and accountability to beneficiaries may be influenced by the institutional setting rife with power relations and various interests in which they are embedded. Last but not least, the essay underscores beneficiaries’ opposition of INGOs’ representations, which constitutes how their legitimacy claims also cannot be justified on empirical grounds.

Conceptual Definitions

Going beyond the assumption that International Non-Governmental Organizations (INGOs) as a major component of global civil society are ‘experts’ who speak for the ‘voiceless’ and ‘heroes’ who always defend the ‘helpless’ on the basis of good moral values, this essay seeks to question their legitimacy claims as actors in global politics. Multiple definitions of civil society notwithstanding, this essay employs Florini’s conception (2012) which includes only ‘third force’ agents who claim to operate independently from the interests of states and market actors as well as Gemmill and Bamidele-Izu (2002) and Willetts (2010) conception that INGOs are the most prominent actor and often the face of global civil society. What are ‘INGOs’, and how do they differ from other components of global civil society? In this essay, INGOs are defined as highly-institutionalized organizations who have a legal identity as they are registered with states and networks which are transnational in scope. Although some might argue that their legitimacy may not be an important analytical agenda as it does not wield formal political authority as governments do, as elucidated by Jens and Steffek (2010), this essay contends that it is a highly important agenda given how they have been shown to wield strong discursive power, *inter alia*, by injecting new norms, namely the opposition to inhumane ‘whaling’ practices introduced by environmental INGOs, human rights principles by a transnational network of INGOs led by Amnesty International, and Gender-and-Development norms introduced by formal, Western-based feminist activist groups. In addition, INGOs are endowed in many occasions with numerous material resources entrusted by the public and their (government) donors to be delivered to the beneficiaries on the ground. All of those reasons combined, lead to this essay’s assertion that questioning global civil society’s legitimacy claim is highly important as an analytical agenda.

Their relationship with and ability to promote wellbeing for their beneficiaries arguably forms the cornerstone of INGOs’ legitimacy, yet we often do not critically assess

what INGOs' relationship are like with their beneficiaries as we take their inherent goodness for granted. Although this may seem obvious as INGOs' behaviors have the most profound effects on the lives of their beneficiaries, it may be surprising to find that a conception of INGOs' legitimacy as pertaining to their beneficiaries are often forgotten in existing literatures,ⁱ save for a few exceptions such as Steffek & Hahn (2010) and Hahn & Holzscheiter (2013). Referring to Steffek & Hahn (2010), global civil society's legitimacy is inextricably linked to a faithful *representation* of beneficiaries' interests and *accountability* through which they can justify that what they have done are in the best interests of their beneficiaries'. To be more specific, Steffek and Hahn (2010) argue that 'legitimacy', as a concept, consists of *normative* and *empirical* dimensions with the former being defined as representatives' rightful exercise of power and the latter as the support towards representatives from those who are actually being represented.

DISCUSSIONS

NGO Representations

If we zoom in on INGOs' *representations* of their beneficiaries, a host of normative problems emerge to the fore. As argued by Spivak (1988), there are two layers to the term 'representation', with one being 'representation' as in 'speaking for' (*vertreten*) others in their capacity as political representatives and another being 'representation' as in 'speaking about' (*darstellung*) others similar to how artists translate from their own standpoints the conditions of specific objects. Oftentimes, INGOs put forth 'paternalistic' forms of advocacies which re-present their beneficiaries as passive, helpless victims who do not know what is in their best interests and thus in need of INGOs to step in and represent them (Barnett & Weiss, 2008). In a similar vein, Hahn and Holzscheiter (2013) state that NGOs commonly utter discourses revolving around notions of 'vulnerability', 'marginalization' and 'victimhood' which ultimately depict their beneficiaries as being unable to speak for or defend themselves – thus in need of INGOs' saving grace. Although some may regard this paternalistic, 'father-child'-like relationship as healthy and true to the realities on the ground, this essay contends that paternalistic advocacies are deeply problematic. In this context, we can turn to Foucault & Seitter (1977) who argue that discourses are powerful because they produce subjectivities - influencing how people see themselves and how they are understood by others, enabling some whilst weakening others. This essay disagrees with Hudson (2000) who argues that the very act of speaking for others inherently disempowers those on whose behalf we

speak. What is problematic is the paternalistic tendencies in those acts of speaking; how they produce meek victim subjects and strip beneficiaries of any form of political agency. In addition, as Alcoff (1991) argues, despite the ‘good’ intentions of speakers of discourses which emphasize the notion that beneficiaries as victims, those discourses end up enfeebling as they close off the space through which marginalized beneficiaries can project their own voices. In sum, as Hahn and Holzscheiter (2013) argue, INGOs’ advocacies have a tendency of violating the golden rule of advocacy, which is the empowerment of beneficiaries to eventually restore their political agency.

Another reason why paternalistic advocacies from INGOs are problematic is because they reproduce, although very subtly, a Northern/Southern hierarchy and subsequently the reproduction of ‘colonialism’ in an obscured manner. This is especially relevant when we consider how a majority of ‘superior’ INGOs are actually Northern-based whilst their more ‘inferior’ beneficiaries are geographically-concentrated in the Southern hemisphere. Steffek and Hahn (2010) rightly question whether Northern NGOs should be allowed to speak on behalf of their beneficiaries in the global South, and we can use INGOs’ general advocacy for women in the South as a specific example why it probably should be problematized. As Mohanty (1988) eloquently highlights, advocacies made on behalf of women in the South is often grounded in a ‘Third World Women’ stereotype, or the homogeneous and monolithic beings who are ‘backwards’, ‘passive’, ‘tradition-bound’, ‘apolitical’ and ‘helpless’ beings in need of saving. Spivak aptly argues that this is a case of “white (wo)men saving brown women from brown men”,ⁱⁱ and how this act of ‘saving’ masks white feminists’ colonizing tendencies as they are heralded as ‘saviors’ of the weak victims. In Spivak’s (1988) definition, these weak victim women are ‘subalterns’ who are already marginalized in their societies, yet undergo an additional form of epistemic violence as they are silenced and barred from speaking out by their representatives, even if it is on the subject of her own oppression. Coming back to Spivak’s two-fold representation concept, the *darstellung* of a subaltern ‘Third World Woman’ is an inferior victim who lacks political agency which in turn warrants the superior INGOs for performing *vertreten* and thus determine the potential solutions which can be undertaken for her issues.

Another critique which this essay directs towards INGOs’ representations is how they are morally-dubious as they reproduce certain stereotypes and corrode beneficiaries’ dignity whilst obscuring the multidimensional causes of their oppression. We can again take Northern feminist NGOs’ advocacy for women as illustrative points. As mentioned

before, INGOs commonly ground their advocacy for women in the South on the ‘Third World Women’ stereotypes which victimizes women in the South and emphasizes ‘colored men’ as the root cause of their oppression (Mohanty, 1988, p. 61). As Spivak (1988) argues, this obscures the colonizing tendencies of white Western feminists who project themselves as having no historical complicity in causing the oppression of women in the South throughout the formal period of colonialism, and for inducing a form of epistemic violence towards these women as they project themselves as being more superior and thus have the ability to save the inferior South, particularly through racialized and stereotypical images of ‘innocent powerless victims’ from the global south. Furthermore, drawing from Crenshaw’s (1991) ‘intersectionality’ concept which illuminates the existence of multiple sources of identities, namely gender, race/ethnicity, class and nationality, INGOs’ ‘Third World Woman’ representation does not acknowledge how women in the South as heterogeneous socio-political economic groups embedded in particular contexts. Specifically, how they are often subjected to immaterial and material forms of oppression induced by the interplay between gender, race, class and nationality which inevitably involves the North, *inter alia*, through their imposition of neoliberal Structural Adjustment Programs which deprive the South’s poorest of social subsidies (Lindio-McGovern, 2012). Instead, ‘Third World Woman’ accounts essentialize and racialize ‘the South’ as oppressive and the North as culturally-superior – which in turn legitimize the latter to represent the former (Tripathy, 2010; White, 2006). Not limited to feminist INGOs’ advocacy, humanitarian NGOs’ representations of their beneficiaries are also questionable from a moral and ethical standpoint as their advocacy materials are often bombarded with graphic images of beneficiaries being limp or covered in blood which erode their beneficiaries’ dignity. For Barnett and Weiss (2008, p. 120), this is an exploitation of beneficiaries that is ethically incorrect.

Another critique of INGOs’ representations is how they are not grounded on the real needs and also the demands of their beneficiaries. This can arguably be attributed to INGOs’ reinforcement of the hierarchy between them as ‘superior saviors’ and the silencing of their beneficiaries as ‘victims’ who are culturally backwards and in need of salvation from INGOs. Borrowing from the field of Postcolonialism, ‘victimization’ is concerning as it reduces the ability and space for people in the South to voice out their own experiences and perspectives. In this context, as Mohanty (1988) argues, Western locations and perspectives become the penultimate vantage point through which the South is judged and solutions are formulated. This false illusion of Northern superiority and

objectivity is extremely problematic as it leads to a wrongful perception that there exists only a single feasible development path people in the South, which is one modelled on the North's own conceptions and interests without taking into account the South's. Ticktin (2011) wrote about how Médecins Sans Frontières (MSF), a humanitarian INGO rooted in the North, advocated inaccurate policies for women rape victims in Congo. As they immediately use their own Northern perspective, Ticktin (2011) argues how MSF misperceived those women as mere victims who feel deep shame and thus only need medical aid and care, all the while allowing the rape issue to be contained safely in a locked private sphere without pushing for political justice and community reconciliation which the rape victims themselves deem to be far more important. Another example for this can be found in Hahn and Holzscheiter's (2013) analysis of Northern NGOs' advocacies for sex workers. Calling for a total abolition of the practice of selling sex for monetary purposes, Northern NGOs totally go against the demands of sex workers as their beneficiaries. Hahn and Holzscheiter (2013, p. 519) argue that those workers were no victims, instead they consented to that practice for the purpose of acquiring social status, self-esteem, material subsistence and various skills.

This essay has shown that INGOs' representations are deeply problematic from a normative standpoint as they reinforce hierarchies/a new form of colonialism, affirm stereotypes and are not grounded on what beneficiaries actually need or demand. This then begs the question: what drives NGOs to conduct such problematic representations? For Hahn and Holzscheiter (2013), this is a deliberate effort by NGOs to ensure their institutional longevity and preserve the legitimacy of their global role. If beneficiaries can fend for themselves, there is surely no need for NGOs to exist. In other words, NGOs' very survival depends on the existence of victims who they can 'speak for' and 'protect'. Hahn and Holzscheiter (2013) also touched on the notion of cultural bias. In the case of sex workers and child labors, Northern NGOs impose their own preconceived notions of what an ideal childhood or sexuality is; in this sense, validation of family as a social sphere which is to be completely separated from market rationale. In Barnett and Weiss' (2011) words, NGOs are "self-appointed guardians of morality and sound conscience" who view themselves as being morally superior and therefore reject other possible alternatives. Going beyond Hahn and Holzscheiter (2013), this essay regards NGOs as not existing in a political vacuum. Thus, it is imperative for us to examine factors which may be more exogenous in nature. In this regard, it is relevant to refer to Gourevitch and Lake (2012, p. 23) who argued that NGOs operate in an environment occupied by various

actors who exert control over NGOs, mainly because they provide funding. NGOs' capability or desire to do ideal representations are thus constrained by the structure in which they are embedded. As an example, donors pour the most compassion and money to advocacies grounded on graphic pictures depicting beneficiaries as helpless, innocent victims (Barnett & Weiss, 2008, p. 119). Therefore, NGOs' unethical advocacy is a combination of NGOs' own institutional and cultural bias as well as their effort to follow market demands in conducting advocacies or providing relief for their beneficiaries.

NGO Accountability

This relationship between NGOs and their donors ultimately also affect the 'accountability' dimension of their legitimacy claims. As institutions that depend on their beneficiaries for *raison d'être* and others (donor governments, firms or individuals) for resources to operate, in principle, NGOs are accountable to a multiplicity of actors. However, as Gross Stein (Forthcoming 2017, p. 131) conveys, NGOs generally claim that they are ultimately accountable to their beneficiaries. The notion of accountability immediately puts to play a principal-agent relationship. In the context of NGO-beneficiaries relationship, theoretically, NGOs should also be agents who fulfill the demands of beneficiaries as their principals. This is not the case, however, as NGOs tend to be more accountable 'upwards' to their many donors and also their institutional wellbeing rather than 'downwards' to their beneficiaries which, as argued before, are perceived as meek victims with no political agency. As Walker and Maxwell (2014) argue, the majority of major INGOs which are deeply involved in humanitarian and development works in the global South are dependent on Northern government donors for their 'bread and butter' – ultimately limiting the parameters within which INGOs can act (Walker, 2009). This trend is obviously related to the promotion of neoliberalism by Western governments since the 1980s, whereby they perceived private actors as being more 'effective', 'efficient' service deliverers who have 'closer relationships' with grassroots beneficiaries rather than governments in the South. The proximity between INGOs and Northern governments thus raise suspicions that INGOs are mere instruments of Northern governments. To an extent, this was confirmed by Thomas (2008), arguing that NGOs bring in agendas which are more in line with the interests of their donors than their beneficiaries. The humanitarian act done by the NGOs aftermath of both the 2004 Indian Ocean Tsunami serves as a clear empirical evidence. At the time, various INGOs decided to neglect proper assessment of beneficiaries' needs and spend humanitarian aid

money as quickly as possible to satisfy the demands of their government donors, the media and also the general public (Ossewaarde, Nijhof, & Heyse, 2008). Moreover, Ossewaarde, Nijhof, & Heyse (2008) also argue that humanitarian INGOs were also often found to be dumping goods to artificially ramp up the number of beneficiaries they can claim to help

In today's setting, however, the beneficiaries once perceived by INGOs as mute now 'speak back' and show resistance towards INGOs who largely claim to speak and act on behalf of their best interests. Referring to Steffek & Hahn's (2010) conceptions of legitimacy, this new development thus weakens INGOs' legitimacy from an 'empirical' perspective as their works become largely resisted by the people they claim to help and speak on behalf of. Concerned with INGOs' problematic representation and lack of downward accountability to them, disappointed beneficiaries now publicly and categorically reject the identities ascribed to them by NGOs, critique INGOs' lack of downward accountability, and categorically reject the notion of being represented again by INGOs. In the case of advocacies on sex workers, Hahn & Holzscheiter (2013) notes how the so-called 'beneficiaries' of INGOs' advocacies now demand to be their own representatives, to speak *on their own behalf*. In the field of migration and development, International Migrants Alliance (2008), a union of labor migrants from the global south, now also contend: "*For a long time, others spoke on our behalf. Now we speak for ourselves.*" The emergence of these 'speaking back' beneficiaries serve as a powerful evidence for what Rancière (2004) argues: that there exists a space for new political subjectivization to emerge, for the previously silent to speak up and resist dominant discourses.

CONCLUSION

This essay concludes with the notion that NGOs' legitimacy claims are questionable, or to an extent even unjustified, on the basis of both normative and empirical grounds. To substantiate this overall argument, this essay has shown two things. First, how the *normative* dimension of NGOs' legitimacy, which means the rightful exercise of power, has been severely weakened owing to NGOs' problematic representations of and lack of accountability to beneficiaries. Driven by an interplay between endogenous and exogenous factors, NGO representations of beneficiaries are disempowering, counter-productive and ethically indefensible, and they show more accountability to donors than they do to their very own beneficiaries. Second, this essay has also shown how the *empirical* dimension of NGOs' legitimacy has been severely

weakened by ‘speaking back’ beneficiaries who have now retracted their support for INGOs due to their disappointment in the performance of INGOs and the emergence of a new space for political subjectivization.

Taking all the aforementioned into account, this essay advocates mainly two things. First, INGOs need to make a shift towards more responsible representations of beneficiaries. Second, INGOs need to remember their promise as part of the third force. In addition to continuing to put beneficiaries first, INGOs must also work to fully restore the political agency of beneficiaries who have lost them and eventually enable them to partake in global governance. INGOs need to dismantle their perception of superiority, remove cultural bias and try to understand things from the viewpoint of beneficiaries, as well as resist the constraints imposed by other actors. It is absolutely imperative for INGOs to remember that beneficiaries form the very cornerstone of their legitimacy. If there is an absence of support coming in from beneficiaries, what good will there be for INGOs to exist in the world?

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ENDNOTE

ⁱ Take for example Gourevitch, Lake, & Stein (2012) who did not include 'beneficiaries' as a category of actor to whom NGOs should be credible (instead, they cited target governments or firms as their advocacy targets or donors, the public and other NGOs).

ⁱⁱ See Spivak (1988, p. 284). It was originally coined, "white men saving brown women from brown men."