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TNAs and the State

James Robinson

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James Robinson
robinson@itam.mx

Instituto Tecnológico Autónomo de
México (ITAM), Mexico

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In the growing literature on transnational actors, social movements, and global networks, considerable attention has been given to the fact these new and dynamic political entities can be clearly distinguished from the state. Many of the important differentiating characteristics of these new entities are significant precisely because they contrast from those of the state. These movements, actors, and networks are "non-state" actors to be sure, lacking most of the basic attributes of statehood. Furthermore, not only can these "transnational actors" (TNAs) be contrasted with the state in their forms of organization, but equally in their modes of interaction, their strategic configurations, and their manner of representation. Indeed, such actors, movements, and networks are not only varied and original in their strategies and forms of being, but also in their goals, interests, and effectiveness. However, while the differences between TNAs and the state are important, they should not be overstated. In fact, most of the defining characteristics of TNAs, from their organization and strategies to their goals and interests, are a reflection of the continued influence and presence of states and cannot be fully understood without some appreciation of TNAs' affinity for the state. That is, TNAs emerged in the shadow of the state, developing and functioning in response to the negative consequences of state policies (especially notable in Latin America) and the positive incentives of state assistance and support. In some cases TNAs have been created to deal with the state's failures or deficiencies, so that TNAs try to influence state policies by working directly with government officials or indirectly through regimes, international organizations, and domestic coalitions. On other occasions, TNAs have been established to complement and extend state influence and power. But it is not unusual for TNAs to also challenge the authority of the state, especially when state interests and TNA objectives conflict. Yet TNA actors may also turn to the state for support when TNAs are lacking in resources or when TNAs and states have shared interests and concerns. Clearly, then, relations between states, TNAs, and transnational networks are varied, complex, and at times contradictory. However, in all such cases, the organization, goals, and strategies of TNAs and their global networks reflect the looming presence of the state. Given the complexity and variance in TNAs, the purpose of this paper is to provide an overview of the nature of transnational actors, their networks, their forms of organizations and strategies, and, ultimately, their ability to influence state practices. The growth of TNAs and transnational networks in recent years attests not only to their increasing importance in local, regional and international relations but also to their growing effectiveness in dealing with problems that have challenged and exceeded the capacities of the state. The increasing limitations of the state should not be taken to mean that they are not involved in the development and activities of TNAs. It will be argued here that the organizational, structural, and strategic dimensions of TNAs reflect an inescapable "elective affinity" with the state, particularly in Latin America, which should not be overlooked if the TNA phenomenon is to be properly understood.

The Emergence of TNAs

Most TNA activity starts at the local level and national level, where problems of concerned citizens and activists are most apparent and pressing. Much TNA activity aims to address the needs and concerns of civil society. Traditionally, civil society interests have been differentiated from those of the state and the market, even though group interests in these three sectors have considerable overlap.[1] Civil society actors are numerous, including churches, trade unions, human rights organizations, charitable societies, social clubs, and environmental associations, among others.[2] The functions of such actors differ from those of the state and market. The state, or more narrowly the government, aims most directly to provide public order, public goods, and resources that improve public welfare, and does so through the legitimate extraction and utilization of capabilities from society. Similarly, the market provides services and goods to society, but essentially through free exchange

between private individuals and firms that (at least in theory) contributes to the efficient allocation of values, resources and capabilities.

By contrast, civil society, or the "third sector", operates to protect and enhance values and interests of private citizens, and does so primarily through independent voluntary efforts. Frequently such activities fall under the direction of nongovernmental organizations (NGOs), but there may also be informal social movements and voluntary associations. While TNAs usually act as representatives of societal interests, this still leaves a large number of different types of TNAs. Generally, such groups interact among themselves to achieve society's goals, but they may also interact with the state and/or private firms to achieve their ends. The purpose of TNAs has been to promote the values and social purposes of domestic groups, many of whom have been disadvantaged given prevailing social and economic conditions. In sum, most TNAs are non-profit organizations that deal with social, economic, and political problems at the local, regional, or international level. TNA activities include providing services for the poor, promoting policies to aid the disadvantaged, initiating programs to promote self-help at every level, while also investigating and disseminating information to states, international organizations, and other TNAs regarding societal and global problems. As domestic concerns are increasingly difficult to separate from global and regional issues, states recognize that cooperation with TNAs is essential to achieving effective governance.[3]

One of the distinguishing features of TNAs has been their ability to organize across national and regional borders into formal and informal transnational networks. Admittedly, there have always been TNAs and transnational networks, at least as long as there have been states, and there are always going to be groups who interact across state borders, pursuing their own sets of interests which differ from those of the state. If 'transnational relations' refers to "regular interactions across national boundaries when at least one actor is a non-state actor or does not operate on behalf of a national government or intergovernmental organization,"[4] then transnational relations have been an ongoing reality since the creation of states and national boundaries. Krasner concludes that sovereign authorities "have always operated in a transnational environment; autarky has rarely been an option; regulation and monitoring of transborder flows have always been problematic."[5] Krasner added that states were "more dependent on transnational actors, at least through the eighteenth century, than they are now…"[6] Krasner's assertion may or may not be correct, depending on how 'dependence' is understood. What is apparent is that contemporary TNAs and their networks have been quantitatively and qualitatively different from the TNAs of earlier centuries.

The present geographic reach and effectiveness of TNA actors and networks are unprecedented, and certainly would not be possible without the enabling technologies of the late twentieth century. The new information technologies have been critical to the present global reach of TNAs. The new technology has allowed TNA networks to emerge all over the world in complex and innovative linkages empowering citizens' groups and private organizations. The effectiveness of these organizations, movements, and networks has been apparent at every level of organization.

New technologies have empowered individuals in their ability to communicate and organize with others, and in ways independently of state interests or national controls. By freely exchanging information through networks, transnational actors have become very adept at understanding local and international problems as well as making governments and international organizations more accountable for their policies and actions. Specifically, transnational activities were enhanced in the 1970s with the "Third Industrial Revolution," which refers to the development and application of information technologies.[7] The creation

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of the Internet has had a profound influence on the ability of individuals to communicate with each other in 'real time' and beyond the controls of states. Regular interactions have become a reality for any individual or group with access to a computer and telephone line. By the beginning of the new millennium, over 400 million people around the world had regular access to the Internet.[8] Transfers of information, finances, and documents facilitated the creation of independent networks, formal and informal. Time and space took on new meanings with globalization. Time became incidental and space was irrelevant in the network of global communications, tying distant parts of the world together. The technologies facilitated flows of goods and services which have redefined the meaning of trade, investment, and production.

While TNAs have taken on many different forms, all of these forms are relatively de-centralized in nature, a consequence of the information technology that is so critical for their communication and sharing of information through extended global linkages. That is, the nature of the TNA organization tends to take the form of a network, in contrast to the hierarchical, organizational structure of a government or the competitive interaction of the capitalist market. The network form of organization has emerged among TNAs because of the effectiveness of horizontal linkages generated by information technologies.[9] In other words, technologies consist not only of software and hardware but also of social support systems that must be consistent with the organizational requirements of the particular technology. Information technologies are distinctive precisely because of their need for free flows of information horizontally across societies and ever larger geographic domains. Such functional requirements mean that without horizontal networks, the technology is unable to function effectively. States and societies have had to adapt organizationally (and institutionally) to these functional dictates in order to make optimal use of information technologies. This requirement contributed to the weakening and eventual de-legitimization of authoritarian regimes during last years of the Cold War.[10] Furthermore, these new technologies facilitated the "third wave" of democratization, making states far more "transparent" and accountable to civil society, while also enhancing the organizational power and effectiveness of private citizens in their pursuit of domestic and international objectives. The development of information technologies has therefore been critical in the development, organization, and effectiveness of TNA networks, while simultaneously making the state more accountable to society and the international community. The new information technologies have also challenged the capacity of even well-intentioned states to regulate and control the activities within and across its territorial borders, thereby making the development of TNAs even more urgent and significant.

Clearly, the new information technologies have been enabling in providing individuals and groups with the technological capacity to create effective networks to satisfy societal needs. But the development of information technologies has been merely an enabling condition, which does not explain why or how individuals choose to use these technologies outside the realm of state authority. Therefore, the causes and motives behind the rise of the 'network society' are just as important as the enabling conditions that made possible the development of networks in the first place.

Public Goods and TNAs

Over the past several decades, a combination of globalization, neoliberal policies, and information technologies have altered the ability of the state to meet many of the fundamental needs and concerns of domestic societies. The "retreat" of the welfare state, along with diminution of its policy making tools, are recognized to have altered state capacity in developed and underdeveloped countries alike.[11] Not only is the social and

economic welfare of domestic populations being threatened, but so too is the ability of the state to rectify or even to contain such problems.[12] With the autonomy of the state steadily diminishing, its traditional role as a provider of public goods and services has become constrained. The deficiencies of the state in a world of globalization are striking, but these limitations are further exacerbated in many states by factors such as corruption, inefficiency, deregulation, and institutional weakness, that have undermined the effectiveness of the traditional policy tools and practices. Whether there has actually been a "hollowing out" or "rolling back of the state," as some have argued, remains to be seen, but clearly domestic groups in developed and developing countries have had to turn to their own devices to address many of society's most important needs and concerns. That is, social groups have had to develop domestic and transnational organizations, linkages, and strategies to compensate for the state's growing institutional and strategic limitations. Certainly, the astonishing growth in recent years of NGOs and transnational networks cannot be fully appreciated apart from the simultaneous decline in state competence and capacity. In the course of this decline, there has been a significant and unexpected shift in power and authority from states to domestic and transnational actors, resulting in fundamental changes in the dynamics between states and TNAs and contributing to changing dynamics of domestic, regional, and international politics.

TNAs justify their efforts to rectify problems of state deficiency on the basis of either technical expertise (to solve practical problems) or in terms of normative or ethical principles (to correct morally questionable state policies). In other words, TNA networks are usually either knowledge-based or normative-based in their agenda setting.[13] In either case, the state is often at fault in failing to provide collective goods to its citizens which then necessitates TNA activity. The failure of the state may occur for any number of reasons, such as the state's lack of capabilities, resources, regulatory controls, or moral authority. Sometimes, the state is not only to blame for its failure to provide public goods, but also part of the problem itself, to the extent that it ignores public interests or is involved in the abuse of public trust. That is, the problems that TNAs and transnational groups seek to address are often caused by state actions themselves, whether from state indifference, incompetence, incapacity, or corruption. These problems have become more pronounced with globalization, as state controls, authority, and effectiveness have been undermined by global flows like foreign investment, drugs, migrants, pollution, chemical waste, and unregulated trade. In effect, the inability of states to provide adequate regulatory mechanisms to control global flows has created opportunities for non-state actors to promote flows of goods as well as of 'bads', which now threaten the health, security, and economic well-being of many domestic societies.[14] Transnational criminal networks are therefore also becoming an integral part of the TNA phenomenon and have a major impact on states and societies in Latin America.

The rise of TNAs and their global networks are proof enough that states have failed to take care of their citizens. Meanwhile, the effectiveness of global TNA networks have led some to maintain that there is now a viable and effective 'global civil society'; that is, a global network of nongovernmental agencies, social movements, and third sector linkages that operates independently and in parallel with the international (state) system. As some have argued, highly skilled and organized individuals have created new forms and channels of interaction in order to address and fulfill the needs or desires that public (state) or private (market) institutions have ignored or can no longer address. Given that the rise of a 'global civil society' is due to the inability of states to meet public or collective needs, TNAs and their networks often have highly contentious relationships with states. The very existence of TNAs is testimony to the failure of states to deal with problems of global governance and collective action concerns at even the local level.

Similarly, the development of transnational networks and TNAs has coincided with the rise of civil society in many states, most strikingly in Latin America and Eastern Europe, reflecting greater efforts by private citizens to create voluntary associations to deal with local problems, to provide needed services, and to press for more accountable government. In addition, TNAs have been established to take advantage of the increased interests and funds being provided by a growing number of domestic and international sources, including international organizations, foundations, private donors, and even by states themselves. The growing effectiveness of TNAs is apparent in the expansion of their focus from domestic concerns to the issues accompanying globalization such as environmental degradation, widespread epidemics, mass migrations, transnational crime, and the unregulated flows and 'shocks' in the global economy.

Domestic and international NGOs and social movements have now become so intertwined in TNA networks that some analysts claim that the global system has become bifurcated such that the state-centric system presently exists along side of "an equally powerful, though more decentralized, multi-centric system" consisting of "sovereignty-free" actors.[15] That certainly does not mean global civil society is independent of, or in opposition to, the state system.   As Keohane and Nye noted, it is "the reciprocal effects of transnational relations and the interstate system" that must be understood.[16] That is, TNA activities and networks have had an increasingly important affect on states even as states continue to influence the goals and strategies of TNAs. But it is also increasingly evident that functional authority over social, political, and economic activities is no longer strictly the domain of territorial states.[17]

However, the "global" civil society may in fact not be so global after all. The majority of TNAs have been created in western, industrialized states, so they reflect liberal, democratic, capitalist values. Clearly western norms have played a significant role in linking communities together in what Habermas described as a "transnational civil public sphere."[18] But the societies of underdeveloped, less democratic countries often lack the resources, know-how, or ability to establish effective domestic NGOs, even though they are desperately needed there. Nor are the developing societies always eager to embrace the western norms of industrialized countries. While there are exceptions, the most active and effective NGOs in Latin countries are usually international NGOs that have substantial resources and experience from the developed world.   In addition, these NGOs are transmitters of western values, culture, and interests, which often make them unwelcome guests in foreign lands, so that "global" civil society remains a western affair.

Despite the state's decline and the mergence of "global civil society", TNA actors cannot escape the presence of the state, nor should they even try to. Whether attempting to overturn deficient state policies or reform state institutions, domestic and transnational actors must work in the presence of the state; sometimes in collaboration with government officials, sometimes when utilizing legal channels, sometimes in direct opposition to states, and sometimes illegally when seeking to evade state controls and regulations.

TNAs - Allies of the State?

States too have begun to recognize the expertise and advantages TNAs have in addressing many types of problems in the modern world, be they technical, scientific, normative, or practical. The fact that TNAs and NGOs are "sovereignty-free" actors makes it easier for them to involve themselves in the internal affairs of other sovereign states in order to deal with delicate moral issues such as birth control and women's rights. Furthermore, broad TNA networks, including linkages with domestic NGOs, often means that

TNAs have accurate and up-to-date information about critical situations that national governments not only lack but may be impossible to attain on their own. The growing dependency of states on TNAs for information and expertise is testimony to their growing influence and significance.

Similarly, international organizations frequently call on TNAs like Amnesty International and Green Peace to provide expert testimony and information in problematic and challenging areas around the globe. As some NGOs are "epistemic communities" with technical expertise, their assistance may even be essential to solving contentious problems such as global warming or widespread epidemics. International organizations have also recognized that NGO networks are particularly effective in building a healthy civil society in Third World states, which for most international organizations is a prerequisite for political, economic, and social development. In addition, as advocates for norms and values, TNAs may be prepared to take on responsibilities or tasks that states or international organizations prefer to avoid for highly sensitive political or religious reasons. Finally, international organizations and states recognize that cooperating with TNAs can significantly enhance their transparency, accountability, and legitimacy.[19] It is hardly surprising, then, that states and international organizations sometimes turn to TNAs for assistance in dealing with a variety of international and domestic problems.[20] Consequently, even though a global civil society is developing as the counterpart to the inter-state system, it should not be assumed that this global society is in opposition to the state system. Quite the contrary, the two are closely interconnected and work in parallel often to achieve the same goals and outcomes.

States recognize that their power may actually be enhanced by allowing private networks to develop and address citizens' needs. Migrant networks that facilitate the flows of Mexican workers to the United States are an obvious example. The Mexican state does little to prevent legal or illegal flows, as these flows help to ease employment pressures within Mexico. More importantly, Mexican migrants are a major source of remittances back into the Mexican state, being by some measures the third or fourth largest source of Mexican income behind tourism, drugs, and petroleum. Similarly, states may recognize their own limitations in providing services or addressing public problems and see the value of collaborating with NGOs and transnational organizations. For example, in the early 1990s as Latin American countries saw level of poverty rising, following implementation by states of neoliberal strategies, popular resistance throughout the region grew. But the privatization of social welfare programs involved states using NGOs to deliver services.[21] Furthermore, states have increasingly channeled social investment funds (SIF) from the World Bank and United Nations Development Programme (UNDP) into specific NGOs in order to buy their patronage or to co-opt incipient popular opposition.[22] Therefore, states have plenty of reasons for working with NGOs and other TNAs when their interests coincide.

Variations in TNAs

Quite clearly, the motivations and causes for the creation of transnational networks and TNAs are not straightforward; that is, sometimes challenging and, at other times, complementing state interests and goals. Consequently, the relationships between TNAs and states and international organizations are as multi-varied as the nature of the problems which these relationships seek to address, but the nature of such relationships depend on the strength or weakness of the state. These relationships also depend to on the underlying purposes of the TNA and the nature of the transnational networks linking TNAs together.

Given the range of TNA and state relationships range from confrontational and hostile to cooperative and complementary, it is not surprising that relationships between states and TNA can take on any number of different forms. These differences depend upon such factors as the goals, strategies, resources, organizational structures, and identities of the participants themselves. For example, there is a wide range of transnational networks as well as NGOs and other nonstate actors that operate primarily according to their own sets of goals and strategies. Some TNAs and transnational networks are the creations of social entrepreneurs with highly idiosyncratic goals which may have little to do with the provision of collective goods. Moreover, because TNAs by definition represent private actors, they are not elected or accountable to any one except donors, shareholders, or their specific members, meaning that they are often not democratically accountable to states or societies.[23]

Still other TNAs are created by states because of the innate advantages that NGOs have over states in dealing a variety of problems and issues. The creation of NGOs by states may also occur simply in an effort to enhance state legitimacy and credibility. In some of these cases, NGOs are also being created as much to take advantage of available financial resources as to carry out their original social purposes.[24] In East Asia, one can find Governmentally Organized Non-Governmental Organizations (GONGOs), Manipulated Non-Governmental Organizations (MANGOs), or even Governmentally Regulated and Initiated Non-Governmental Organizations (GRINGOS).[25] Such distinctions underlie important differences in the identities, goals, strategies, and interests of NGOs and TNAs, as well as in the state strategies for dealing with these new actors and third sector more generally. Some NGOs are simply GONGOs, MANGOs, or GRINGOS, meaning they are tied to the state financially and must follow the state's agenda and strategies. These TNAs may be regarded as extensions or tools of state interests.}

Other TNAs have their 'raison d'etre' in reforming and overturning state policies, and therefore have conflictive or threatening relations with the state. It is also not unusual for TNAs to develop cooperative relations with international organizations, precisely because of the leverage these organizations have over states. Even those NGOs that work with or challenge international organizations like the World Bank or I.M.F. are never totally divorced from state practices and interests that underpin these organizations. Quite simply, TNAs should not be seen as operating independently of state policies and practices as their effectiveness is frequently a function of their relationship with the state, be that one of confrontation or of cooperation. Whether collaborating with states or challenging their policies, TNAs remain ever cognizant of state interests, strategies, and resources.

The Effectiveness of TNAs

The importance of transnational actors and networks is most apparent when TNAs are able to alter state policies or transform state practices, especially to deliver public goods. At times, TNAs are important in assisting states to achieve their goals, but on such occasions their contributions are likely to be overlooked. It is most often when TNAs stand alone and achieve their objectives independently of the state that the public takes notice. Not surprisingly, the significance of transnational networks first became truly noteworthy in the 1970s in the context of rising interdependence and growing state policy constraints.[26] This happened to also be the moment when new information technologies began effectively linking individuals and groups together around the globe. Of course, in the 1970s, no one anticipated the stunning affects the new information technology would have or the significance of TNAs. At the time, the primary issue with regard to transnational relations was whether transnational networks embodied the interests of societal groups and whether

TNAs were undermining the sovereign authority of states. As has been noted by others, this line of thinking posed the wrong questions, for the importance of TNAs and their networks was not whether they were weakening state sovereignty, but rather how they were affecting state policies and addressing societal needs.

Although TNAs usually attempt to rectify local problems, provide basic services, and press for better state policies, the new information technologies allow them to establish broad networks with like-minded organizations in other states to promote shared international objectives and strategies. The ability to effectively mobilize people and resources, even in the face of state opposition, has become a distinguishing characteristic of TNA networks. The TNA organized opposition to landmines was strikingly apparent at the Seattle meetings of the WTO. Not only did the TNAs proved to be successful in their campaign to ban landmines, but TNAs proved surprisingly capable of blocking the policies and agendas of states. TNAs have proven time and again they can operate effectively even in the face of strong state opposition.

However, TNAs are not always effective in attaining their goals or even in implementing their strategies. TNAs have had more limited success in implementing large-scale projects that require substantial financial support and broad legal authority.[27] The financial dependence of most NGOs on state resources should not be underestimated. Quoting figures from the World Bank, Risse notes that public funding for development NGOs in the 1970s grew from 1.5 percent of total income to 30 percent by the mid-1990s.[28] Third World NGOs are estimated to rely on funding from states or international organizations for up to 80-90 percent of their total resources.[29] The most independent set of transnational networks that have evaded state controls are multinational corporations (MNCs) and illicit organizations, such as drug cartels, both of whom have significant independent resources. But most TNA actors do rely on state resources to some degree, although TNA preference is to maintain financial independence.

By contrast, TNAs have more difficulty maintaining their complete legal independence from states. The issue here is not the legal status of TNAs so much, which are usually quite independent from the state, but rather the ability of the TNAs to ignore the legal framework established by states, which is often a precondition for effective TNA activity. States provide the legal context, domestically and internationally, within which TNAs must participate in order to be effective, whether TNAs are complementing or challenging state policies. But just how a particular TNA will choose to interact with states, meaning which institutional path the TNA actor follow, will depend considerably on what the transnational actors are trying to accomplish and what strategies they are choosing to adopt. For example, developmental organizations often work with local and provincial officials at the substate level. Alternatively, women's NGOs have been active at the regional (suprastate) level such as with the European Union. By contrast, trade union groups concentrate their efforts on international organizations like the World Bank and International Monetary Fund (IMF).[30] Quite simply, transnational actors, their networks, and global civil society are all dependent on a legal framework created by states and international institutions. It is through inter-state agreements, such as regimes, treaties, or international organizations that international and domestic regulatory frameworks are constituted, which limit or enable the actions and strategies of TNAs.[31]

The Organization of TNAs

This legal reality has two significant consequences for TNAs. First, TNAs must operate within the legal framework, structures and institutions of states and international

organizations because TNA goals, strategies, and activities are usually related to correcting or overcoming the deficiencies and weaknesses of states and international organizations. Secondly, and less obviously, TNAs must structurally organize themselves in such a way as to utilize, take advantage of, or resist the legal structures, frameworks, and institutions of the state and international organizations. That is, for the purposes of this analysis, states should be understood as institutional structures, rather than as centralized decision-making organizations and personnel, and TNAs have important incentives to organize themselves in accordance with the state's institutions if the TNAs are to exercise any influence over or challenge government policies. In other words, "Coercive incentives, especially legal regulations, competitive incentives, and normative legitimacy encourage transnationals to become institutionally isomorphic with states."[32] The need to organize themselves in accordance with state institutions reflects the fact that TNAs are concerned with gaining access to decision makers through normal (legal) institutional channels. Thus, many TNAs are configured institutionally and organizationally to effectively operate within specific state frameworks. As TNAs have had to structurally organize themselves to be "institutionally isomorphic" with the state, it is difficult to claim states are not intimately related to and continue to influence the development and activities of TNAs.

The internal organization and form of strategy of TNAs remains an under investigated area and what information that does exist has been far from conclusive. Given that many TNAs organize themselves to effectively interact with states, it has been assumed that organizational structures of TNAs would follow the lead of state institutions and organizations. But many globalization analysts have argued the new forces of the global economy, information technology, and the acceptance of liberal norms, such as democracy and open markets, would compel states to "converge" towards similar types of economic and political institutions. There are indeed economic and social pressures for states to conform to the dictates of the global market, meaning opening borders to foreign investment and production, adapting new technologies to their domestic systems, and adjusting public and private institutions to enhance their competitiveness. Whether from "coercive liberalism" or "forced harmonization",[33] globalization applies enormous pressures on state structures and economies so they tend to partially converge as a result of competitive pressures and the diffusion of technologies.[34] The evidence is highly suggestive in terms of the expansion of capitalism and democracy over the last four decades. The "third wave" of democracy and "end of history" literature both note the existence of more democracies in the world today than ever before. Similarly, globalization confirms the spread of liberal market economies. However, such tendencies do not mean that states have adopted identical political and economic institutions or strategies.[35] There are, for example, fundamental differences between the United States, Europe, Japan, and Latin America in terms of how they define the purposes of state and market in their respective civil societies, and this is apparent in their institutions and structures.

Nor has there been a "convergence" in the organization and strategies of TNAs. The convergence argument assumes that the global market is homogeneous and that state regulations are fairly uniform wherever global firms seek to invest. Yet, just as states have not converged in the development of national institutions, so too have non-state actors had to structure themselves according to the specific legal, social, and cultural requirements of domestic institutions where they operate. For example, the 'political cultures' of the Japanese, Germans, and Americans are quite distinct. The Japanese have a decision-making norm of "reciprocal consent", while the Germans emphasize "social partnership", and the Americans the norm of "liberal pluralism," which are reflected in domestic institutions and dynamics that TNAs have to adjust to in these countries.[36] Just as domestic markets often dictate the organizational structures of global corporations, rather than the

reverse,[37] so too must TNAs adjust to the specific structures of institutions of states and organizations that they seek to influence in a given state.

Such differentiation is apparent in many types of transnational actors. The Catholic Church is organized differently in Germany, where it has a "quasi-public status," from its organization in the United States, where it is a completely private entity.[38] The Catholic Church's domestic organization is dependent on its relationship to the state and civil society, rather than on the market, but the need to conform to national requirements of the given country is still unavoidable. Failure to do so can result in the failure of the TNA to exercise effective influence within that country. This is not to say that domestic or national structures will completely determine the organizational makeup of TNAs, but clearly they will have an important impact. As Krasner succinctly put it, "institutional structures of transnational actors must reflect the institutional environment within which they function."[39]

Krasner's assertion is true for two fundamental reasons, although this results in an ambiguity in terms of which of the two reasons are most important. That is, most TNAs are created to address collective action problems which states or international organizations have failed to solve. Frequently, solutions require rectifying the policies or actions of states, which means gaining access to the decision making procedures of the states or organizations. This can usually only be achieved by TNAs working through legal channels and thus conforming to the institutional makeup of the state or organization. TNAs after all can only gain access to the state, or enter the state's sovereign territory, if they agree to comply with state laws and regulations. Since these laws will differ considerably from one country to another, TNAs will vary in institutional form depending on the national context where they are operating. For example, the state may be structured to reflect a pluralist or corporatist form of interest representation, in which case a TNA like Amnesty International will have to organize itself differently if it is trying to influence the U.S. government or the Mexican government. In this respect, Krasner is correct to emphasize the importance of the "institutional environment." Moreover, the structure of the state (for example pluralist or corporatist) will help to determine whether the policy impact of TNAs is long lasting. That is, in a fragmented, pluralist structure the impact is likely to be overturned far sooner than in a corporatist structure because of the existence of new and competing organizations.[40]

However, the TNA's organizational makeup will also reflect the particular goals and strategies that define the TNA's purpose. If the TNA's goals correspond to norms like human rights or environmental protection, that are formally codified in international treaties or regimes, the domestic and international legitimacy of the TNA is greatly enhanced, allowing it to attract far more public and private support. Consequently, such TNAs are far more likely to become professionalized, and even bureaucratized, with teams of lawyers, technical experts, and country specialists.[41] These kinds of transnational actors are more likely to exercise influence over states and international organizations than are more loosely organized social movements or groups lacking norm legitimacy. Clearly, the effectiveness of TNAs will depend on both the extent that their organizational structures are compatible with state decision making processes (that is to what extent can a TNA gain access to decision makers) and the level of legitimacy and professional competence they have in promoting their cause. Where state institutions are fragmented and policy networks tend to be weak, one would expect TNAs to have more political influence in state decisions.

Yet it is worth noting that greater access into decision making processes does not necessarily translate into more influence for the TNA. A decentralized political system like the United States with a highly pluralist society usually means many different TNAs are competing against one and another for state resources and support. As a result, decision-makers are likely to be selective in the causes and actions they choose to support.

Furthermore, greater access means more competition for influence and greater difficulty building a "winning coalition" to influence decision-makers.[42] Conversely, as Evangelista explained, an extremely centralized system like the former Soviet Union or Cuba made TNA access difficult, but when transnational coalitions did gain access to leaders they almost always had a significant influence.[43] Given the impact of information technologies on the decentralization of state authority and the empowerment of civil society groups, open access to state decision-makers is likely to see increasingly fierce competition among TNAs for influence over state policies.

The Rise of Illicit TNAs

Given the limited ability of states to address all of the needs and concerns of domestic and transnational groups, it is inevitable these groups will attempt to create TNA networks. Many groups will also seek to establish channels of interaction that provide them considerable autonomy or independence from state controls. Sometimes, the motives for such independence are to establish networks that operate illicitly; that is outside the legal framework of the state. Therefore, the growth of TNAs has included an increasing number of illicit TNAs.

More specifically, the globalization of the world economy has also brought forth the globalization of the illicit economy, which has its own set of transnational networks. Money laundering, drugs, financing of terrorism, and other criminal activities can be linked to the deregulation and privatization of market economies.[44] Many of the same information technologies that have facilitated private citizens creating effective transnational networks have also permitted criminal organizations to extend their reach across state borders into numerous countries. Just as information technology has decentralized state authority and facilitated the creation of transnational networks, so too has it allowed for global criminal networks to be established, thereby facilitating increasing illicit flows.[45] To cite one measurement of the growth of illicit networks, by the mid 1990s, the global drug trade was estimated to represent the equivalent of 8 percent of world trade, a figure of $400 billion. Moreover, according to another estimate, global organized crime presently grosses $1.5 trillion per year. Similarly, as an UNDP report stated: "All [major organized crime syndicates] have operations extending beyond national borders, and they are now developing strategic alliances linked in a global network, reaping the benefits of globalization."[46] By taking advantage of fluctuating economies, lax banking regulations, high unemployment, weak security apparatuses, and corrupt governments, international criminal networks have reached a level of power and sophistication that now exceeds that of many states in the world.[47] Transnational illicit networks now also link terrorist organizations and social movements like Islamic Fundamentalism, both of which operate according to knowledge-based or principle-based strategies.[48]

Whereas the state could once be counted on to provide security and protect human rights, given the global reach of crime, society must now turn to its own devices to protect its domestic populations and communities. Even the most authoritarian state finds it impossible to control theses flows across its borders. Many of these global flows, such as migrants, drugs, and investment, are driven by market incentives, while other types of flows like pollution and information show little or no regard for markets or borders. Regardless of why or how these flows occur, they tend to create collective action problems for the state. If uncontrolled, they can affect the employment, security, health, and environment of its citizens. Clearly, then, if the state cannot provide for the well-being of its inhabitants, society has little choice but to find its own solutions, whether these be privatization of security, increased NGO monitoring and accountability of states,

international public campaigns for regulatory reform, or societal protection from illicit activities and threats. The growing impact and reach of TNA criminal activities in Latin America, and the rest of the world, have therefore served as an additional stimulus in the development of legally based TNAs and their networks.

TNAs in Regimes and International Organizations

Another way that TNAs influence states is through the TNA activities within international organizations and regimes. Some have argued that transnational networks have become so important in recent years precisely because of the increasing level of institutionalization of relations that is embodied in regimes.[49] Whether seeking international or domestic objectives, TNAs establish alliances with regimes and international organizations which lend weight and legitimacy to their efforts.[50] Regimes are so valuable to TNAs because they are effective in providing collective goods to their members through the reduction of transaction costs, increasing information, and reducing uncertainty.[51]

Regimes are also critical for TNAs because they have constitutive effects on transnational actors and their interactions. That is, a transnational actor that deals with refugees, human rights, or environment problems will have its purpose, organization, and strategies defined by the legal categories established by the regime to determine what constitutes a refugee or human rights problem or environmental issue.[52] It is also possible for non-profit organizations to work together to form or define the purpose of a regime or international organization which will in turn affect state behavior. For example, NGOs like International Planned Parenthood Federation, the World Council of Churches, and the Population Council have worked together on global population policy and have had a significant impact on the organizations like the United Nations Population Fund and state organizations like the U.S. Agency for International Development.[53] These organizations have then pressured governments to adopt the norm that overpopulation is tied to development and population policies should be consistent with a country's demographics and resources. NGOs have been at the forefront of linking population concerns to environmental issues and promoting the idea within the foreign aid regime of 'sustainable development', which is especially important in Latin countries.

Of course, there remains disagreement among international organizations, states and TNAs regarding the best strategies and practices to achieve sustainable development and population control. In some cases, TNAs have not hesitated to challenge organizations like the World Bank, whom the TNAs regard as biased in their understanding of Third World problems. Moreover, TNAs have pushed for the reform of many international organizations, particularly in terms of making them more transparent and accountable to local stakeholders. Not surprisingly, these same organizations have not hesitated to question the legitimacy of TNAs, who claim to represent the true interests of grassroots constituents.[54] Admittedly some TNAs seem to be accountable to no one except their charismatic founder, so that their legitimacy remains suspect. The relations between TNAs and international organizations and regimes can clearly be highly contentious.

It might be thought that states can easily resist the pressures of TNAs who work through regimes and international organizations, since regimes and organizations are so dependent on state support. Yet, by definition, regimes provide a defined regulatory context for state actions and policies, a context which can also legitimize and empower TNAs who are working to support of regime rules and principles.[55] For example, the human rights regime, which has been strengthened through the efforts of NGOs, has been effective in altering the human rights practices of governments. However, even in the human rights

regime, NGOs may try to work with states that are in good standing against the violators of human rights norms. This tactic is likely to occur when NGOs perform the tasks of surveillance and information gathering for the regime, thus identifying members who are violating regime norms or rules. TNAs may also play a valuable role in mediating between states over regime disagreements, as TNAs are often viewed as politically 'neutral' in their analysis of problems and issues. Thus, through their information gathering networks and mediating efforts, TNAs make enforcement of regime norms and principles more effective.

NGOs are also useful for regimes and scientific organizations through their technical expertise, or 'epistemic community'.[56] NGO expertise has been important in developing environmental regimes. Greenpeace, for example, has played a valuable role in the Law of the Seas (LOS) regime, specifically in areas of surveillance and enforcement problems related to whaling and sea dumping. In the case of the Brazilian rain-forest destruction, transnational networks of NGOs and indigenous populations were effective in forcing President Jose Sarney to make government policies more environmentally sensitive.

NGOs that work with regimes may also be useful tools for states not wishing to deal directly with a sensitive problem. For example, domestic politics may hinder a state's willingness to push for controversial policies like population control. Direct government programs can also be expensive and susceptible to corruption. So rather than directly confront states with a population problem, financial and political support from donor states can be funneled through regimes to specialized NGOs who deal with the issue. As Haufler explained, "States can use non-state actors in developing the normative basis of a regime, or in implementing its programmes. Alternatively, non-state actors can either act independently in establishing a regime, or they may operate on state preferences through domestic or transnational coalitions."[57] Independently of states, international organizations and regimes frequently recognize the competence and expertise of TNAs in dealing with local problems.[58] As a result, domestic NGOs have gained considerable strength at the expense of international NGOs, regimes, and international organizations.[59] The very legitimacy and effectiveness of local NGOs, and suspiciousness of foreign TNAs (those coming from the developed world) make this trend all too understandable.

It is often the case that transnational organizations and regimes work with local NGOs and groups in order to pressure deficient states "from above" and "from below".[60] Domestic groups need regimes, as they often lack resources or know-how to challenge the state, a multinational corporation, or even an international organization. Therefore, in the early stages of reform movements, domestic opposition groups have little choice but to turn to TNAs for support. Drawing on the technical expertise, resources, and linkages of TNAs, domestic groups ally themselves with transnational networks to pressure the state "from above". It is only after the state has begun to make concessions to domestic groups that they can apply pressure on the state "from below". Through joint pressures from abroad and from within, the state may eventually choose to strengthen civil society, thereby making the state more accountable to its citizens.[61]

TNAs as Moral Entrepreneurs

One of the primary objectives of TNAs has to do with the articulation and promotion of new norms and values.[62] That is, TNAs are often referred to as "teachers of norms".[63] Norms are distinctive in the sense they are have a 'prescriptive' or 'evaluative' quality of 'oughtness', referring to what is proper or appropriate.[64] For TNAs, norm promotion entails a certain amount of proselytizing and moral suasion.[65] Some have asserted the primary purpose of TNAs is not merely to change state policies but rather to "raise consciousness"

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among social groups to establish a transnational civil society. However, by promoting shared values and norms, as well as furthering "global consciousness", TNAs not only influence domestic politics and agendas[66] but also affect collective identities of states and societies and even the fundamental normative beliefs that underpin them.[67]

There is a symbiotic causation operating between TNAs and normative diffusion. Not only do TNAs spread norms and values, but they also are empowered and rely upon norms and values to enhance their own legitimacy and effectiveness. International treaties and regimes embody particular norms and values that reflect the interests and concerns of states and societies. This provides a normative framework that strengthens and legitimizes the activities and organization of TNAs operating within the same normative context. That is, the development of a human rights regime helped to transform transnational social movements into professional organizations like Amnesty International and Human Rights Watch. With norm legitimization, these organizations began hiring lawyers, media experts, and country specialists, which made them more effective in identifying problems and pressuring states to reform human rights practices than transnational social movements had ever been able to do.[68] Their effectiveness is becoming apparent in many Latin American countries, changing notions of legitimacy and the basic relationship between the state and society.

Conclusion

Regardless of their particular goals or accountability, the relationships of TNAs with states go beyond the specific mandates of TNAs. TNAs might affect the state in a number of ways, such as a "change [in] attitudes, increase the ability of some states to affect developments in others, and contribute to the emergence of private foreign policies that oppose or impinge on state policies."[69] TNAs from the advanced, developed countries tend to contribute to "westernization", that is cosmopolitan or liberal values, whether they intend to or not. In doing so, TNAs have inadvertently contributed to rise of "sectarian" TNAs who ardently resist globalization and western cultural "imports".[70] This trend is clearly evident in many Latin countries where guerilla, indigenous, and other native movements have challenged the state.

Nonetheless, the phenomenal growth of NGOs, TNAs, and transnational networks over the past several decades attests to their increasing importance in providing goods and services where the state and market have failed. In some cases, these networks have proven to be more efficient than states, regimes, and international organizations in meeting societal needs. But TNAs are also important in making states and international organizations increasingly transparent and accountable to their constituents. TNA networks have also helped to represent the underrepresented as well as to introduce new perspectives and approach to the contentious problems created by globalization. States have also gained from TNAs by jointly working to solve difficult domestic problems, which enhances state legitimacy and effectiveness. Furthermore, international organizations have become more effective when drawing on the expertise and resources of TNA networks. The numerous benefits derived from TNA networks for states, societies, regimes, and international organizations go far to explain their continuous growth in number and in scope.

However, the effectiveness of TNA networks depends upon a number of factors, not least of which is their strategies, organization, and resources. It is not surprising that TNAs are sometimes ineffective and may even have a negative impact on domestic societies. Illicit networks engaging in criminal activities are an obvious example, but so too are well

meaning NGOs or groups who have seriously flawed policies or are in competition with other TNA activists (as when environmental groups compete with economic development organizations). That is, there may also be an "over abundance of civil society". Poor policies along with improper implementation can inflict serious damage or harm on those most in need of assistance. In addition, some TNAs must be faulted for their lack of transparency and democratic representation. They may also reflect western or other regional biases and practices that are inappropriate for the groups they intend to aid. Quite simply, TNAs and their networks can be extremely useful in helping to address many of society's most critical needs, but they are also capable of making mistakes and causing considerable harm. But, ultimately, whether TNA networks are effective and serve societal needs depends on whether they are well-prepared organizationally and strategically for their tasks at hand. This, in turn, depends to a large extent on the TNA's inescapable relationship with the state.

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