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978-1-107-05295-6 - The Return of the Public in Global Governance

Edited by Jacqueline Best and Alexandra Gheciu

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I

Introduction

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1 Introduction

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Although there has been much discussion among international relations scholars about the extent to which the relationship between public and private in global governance is changing, much of that attention has been focused on the rising role of private governance, authority, and actors. This volume focuses instead on the other side of the equation: our interest is primarily in the transformation of the public dimension of global governance. As we analyze that transformation, we advance two major claims: first, that the public is beginning to play a more significant role in global governance, but, second, that it takes a rather different form than has traditionally been understood in international relations (IR) theory. Rather than a bounded realm or space, we argue that the public must be conceptualized as a collection of social practices.

The return of the public

No matter where we look, the public seems to be playing an increasingly important role in our lives. This is particularly striking given that, after a couple of decades of neoliberal governance that extolled the virtues of the private sphere (particularly the market), many experts thought that the public – and particularly the state – had irrevocably lost its once privileged position in the world. Take, for instance, the recent examples of state intervention to address the financial crisis largely perceived as the outcome of the reckless behavior of private actors (primarily financial institutions). Or consider the new rules that came into effect after 9/11 and that impose unprecedented demands on institutions such as private banks to cooperate with public authorities, including by disclosing confidential information about their clients. Think, also, about the ways in which the transnational flows of goods, people, and services have been subjected to unprecedented levels of monitoring by public authorities – suffice it to mention the new security arrangements at airports – in a situation in which states and intergovernmental international organizations fear that such flows could facilitate the operations of terrorist and criminal

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organizations. Finally, let us recall the multitude of government-, UN-, and EU-sponsored efforts to create a more effective system of environmental governance that would, among other things, significantly change the ways in which private corporations conduct their business.

Based on all these (and many other) examples, we could be very tempted to conclude that, after a couple of decades of neoliberal governance, the public is back with a vengeance. But is it? Yes, and no. As this volume argues, the public is indeed back, but not as we knew it. We suggest that unless we transcend the conventional wisdoms about the category of public, we cannot understand the dynamics and consequences of its apparent return.

The concept of the public is a fundamental category in political theory, and has long shaped modern liberal thought and practice. Although various liberal scholars have different views of the relative merits and power of public vs. private objects and subjects, the assumption of a clear distinction between public and private realms has been at the heart of liberalism's "art of separation" – to borrow Michael Walzer's (1984) term. As we explain in the next chapter, the public/private divide has also been central to thinking about international relations. While in recent years a host of scholars have drawn attention to the shifting and blurring of the boundary between public and private, for the most part their analyses have not challenged the assumption that public and private are ontologically separate domains of social life, governed by different logics and associated with specific sites. On this view, it ought to be possible at any given time and in any given place to determine, based on their location, whether a particular organization, group, or individual acts in a public or a private capacity.

The problem with this perspective, this volume suggests, is that it does not enable us to see that whether an actor is regarded as public or private depends much more on what they are seen to be *doing*, than on where they are *located*. As the empirical contributions to this volume demonstrate, in many instances the public is back, but it is not where or what it is supposed to be, according to conventional wisdom. We suggest that it is only by transcending the view of the public as a separate, distinct entity or social space and by embracing the view of public as practice that we can understand the nature and consequences of the contemporary "return of the public." This is what we set out to do in this volume.

The public as practice

Drawing inspiration from the "practice turn"¹ in international relations and social theory, we argue that the best way to understand the novel

¹ See in particular Adler 2005; Adler and Pouliot 2011a and 2011b – also Bourdieu 1990; McMillan 2008 and 2009; Schatzki 1996; Schatzki, Knorr Cetina, and von Savigny 2001.

forms of “public” that are currently emerging internationally is to see them as public practices. Understanding the public as practices, we suggest, enables us to develop a more nuanced appreciation for the complex ways in which different forms of public are gaining in significance – allowing us to open up the black box of the public and to examine the multiplicity of actors, objects, and subjects that are implicated.

As we discuss at greater length in the next chapter, we define practices as meaningful patterns of activity that enable individuals and communities to reproduce their world. Such practices are often tacit or habitual – the everyday practices through which we engage in our social and political lives – although they can also take more self-conscious and strategic forms. This means that practices are both ideational and material: they take concrete forms, as specific actions and techniques, but only have meaning within a particular social and ideational context. Some of the practices discussed in this volume include concrete techniques for soliciting public feedback and participation, for structuring spaces of deliberation, and for providing public goods like security.

One of the most common ways of understanding practices today is through the idea of “communities of practice.” This particular understanding of practices emphasizes what we are calling in this volume the *reinforcing* character of certain practices: the ways in which they can be used to stabilize the rules, norms, and boundaries of a particular way of life – by, for example, reinforcing an international organization’s claims to authority by developing new practices of public consultation. Yet practices can also be used to *transform* a given set of background assumptions, or redefine the boundaries of taken-for-granted categories. Not surprisingly, given that this volume seeks to examine a moment of disruption and transition in global governance, many of the kinds of public practices being discussed by our contributors take this second form, as actors in the environmental, economic, and security domains seek to redefine the meaning and scope of the public in global governance.

As we discuss in the next chapter, we define public practices as patterns of activity that involve an understanding in a given society at a particular moment in time that something is of common concern. By conceptualizing the public as a set of practices, rather than as a bounded domain or sphere, we are emphasizing the contested and historically contingent character of what we call public. This reconceptualization enables us to disaggregate the public, examining the ways in which different kinds of actors and activities get counted as public in different contexts. It also allows us to consider the politics involved in defining a particular good, procedure, or actors *as* public, revealing the power relations involved in defining what counts as public or not.

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What is at stake in this return and reconstitution of the public? We suggest that the present reconstitution of the public dimension of governance can be seen as a moment of disruption – partially in response to the perceived limitations of neoliberal ideas and practices of the public that were prominent in previous years. Contributors to this volume provide somewhat different answers in response to the question “What has changed?” but they agree that recent transformations – for instance, the global financial crisis, changes in the field of security after 9/11, and climate change – have all challenged previously taken for granted definitions of the public, as well as boundaries between the public and private. Each of these crises has forced a redefinition of what counts as a public object or subject, just as it has forced a rethinking of the previously dominant public logic. To understand the nature and implications of this moment of disruption, we argue, we need to examine practices through which particular understandings of the public objects, subjects, and logics of action are defined, enacted, and contested.

Contributions

By examining the ways in which the public is constituted through historically specific practices, the chapters included in this collection seek to make several significant contributions to the IR literature. The project makes an important contribution to the significant literature on public and private in global governance, both building on and challenging the existing literatures on private authority, public goods, and the global public sphere.

We also formulate a theoretical framework for the study of the public in global governance that can be applied to a range of IR subfields to help us understand the complex interactions among them. This book demonstrates the ways in which the same patterns in the transformation of the public are occurring in IPE, international security, and the global environment.

This volume also contributes to the recent IR and sociological bodies of literature on “the turn to practice” by extending the analysis of practices to a previously undertheorized area. Thus, we explore the ways in which practices help to construct and change some of the most fundamental categories (public objects and subjects) that shape our understanding of – and actions within – the world of international politics. Through its emphasis on the concrete practices, mechanisms, and techniques through which the public is constituted, this volume makes an important contribution to debates in IR about the relationship between the material and the ideal. Practices, by their very nature,

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bridge this divide: they are informed by particular understandings but take material form – as a set of techniques for making financial derivatives open to public scrutiny, or a set of consultation mechanisms for dealing with poor communities.

In addition, our focus on practices enables us to contribute to a better understanding of the exercise of power in international relations. After all, as Barnes has noted, “To engage in a practice is to exercise a power. [...] what is called the active exercise of a power may equally be called the enactment of a practice” (quoted in Adler and Pouliot 2011a: 30). In this volume, we examine the exercise of power through the practices of inclusion, exclusion and authorization involved in constituting certain subjects or objects as “public.”

Finally, contributors to this volume seek to enhance our understanding of the public by examining the normative dilemmas and challenges associated with contemporary forms of the public. Thus, one of the recurring themes in this volume is that some of the recent transformations in the fields of international political economy, security, and environmental governance have worrying implications, as some of the recent practices of publicness provide a much thinner basis for legitimacy than the democratic processes that – in modern (liberal) political thought – are conventionally associated with the public domain.

Overview of the book

Each of the chapters that make up this book contributes to the theoretical and empirical robustness of our central claims. Thus, despite their different empirical foci, our contributors share a commitment to exploring the constitutive effects of practices on the objects and subjects identified as “public” in a specific context. As noted above, many of our contributors have already carried out research that challenges conventional assumptions regarding the boundaries between the public and the private realms, arguing that categories of public and private cannot be treated as fixed.² Our volume takes that line of argument a step further through a systematic examination of the dynamics and implications of the historically specific practices through which the “public” is constructed. It is on the basis of such a systematic set of analyses that we seek to explain the present efforts to reconstitute the public dimension of governance in response to recent crises in the fields of IPE, security, and environment governance.

² See, for example: Abrahamsen and Williams 2007, 2009, and 2011; Avant 2005; Cutler, Haufler, and Porter 1999; Gheciu 2008; Haufler 2007; Porter 2005.

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The next chapter (Chapter 2), by Best and Gheciu, provides a theoretical framework for the other chapters in this book, and for the broader claims that the contributors make about the need to reconceptualize the global public. If the public is in fact re-emerging in global governance, then how can we conceptualize it? In order to answer this question, Best and Gheciu begin by considering whether the existing literatures on the public and private in global governance can provide enough insight into the changes that we are currently witnessing, allowing us to recognize the re-emergence of the public and to understand its novel characteristics. Having identified both the strengths and weaknesses of the existing scholarship in resolving these puzzles, they go on to develop a framework for making sense of the evolving role and character of the public in global governance. They suggest that the best way of understanding the re-emergence of the public is to approach it as an evolving set of practices rather than as a bounded sphere, state-based authority, or natural set of goods. Drawing on the evidence provided by contributions to this volume, Best and Gheciu then develop a theoretical framework for understanding the public as practice in global governance.

If we are to develop a conception of the public that is historically and culturally attuned, then it is important to consider contemporary shifts in the light of their history. The chapters by Avant and Haufler (Chapter 3) and by Helleiner (Chapter 4) do exactly that: they consider recent changes in the constitution of the public through a historical lens. In their chapter entitled “The dynamics of private security strategies and their public consequences,” Avant and Haufler examine the relationship between Western profit-seeking, helping, and ruling organizations in the management of violence during nineteenth-century imperial expansion, late nineteenth-century modernity, the Cold War, and contemporary global governance. Through their analysis, they demonstrate that changes in the practices of ostensibly private firms and NGOs have played an important role in shaping the conception of the public that prevails in a particular historical context. Their historical analysis demonstrates that the clear distinctions between public and private that we take for granted today were the product of social practices in a specific historical context. Thus, at the start of the history they examine, there was no distinctive boundary between public and private. As Avant and Haufler explain, only over time did the state and private actors come to be seen as entities operating in separate spheres. Furthermore, “By the start of the twenty-first century, the public and private were once again merging – but in a new way, in which the state is no longer equated with the public. This may presage a transformation of the public through the manner in which security is provided – through

transparent and accountable processes. What those who provide security do, rather than who they are, is increasingly important for organizations claiming to be acting on behalf of the public.”

Helleiner, in his chapter, considers the rise of new public-constituting practices in the context of the recent financial crisis. In his examination of the move to regulate derivatives, he considers how policy-makers across the world have stated clearly that they now consider derivatives markets to be a proper subject for global public policy. These declarations of the “publicness” of derivatives markets have been accompanied by internationally coordinated initiatives to boost market participants’ use of various private central counterparties, exchanges, electronic trading platforms, and trade depositories. Yet, Helleiner notes that while derivatives have been redefined as a public concern, the proposed new forms of regulation remain quite distinct from the post-war Bretton Woods era, as, “the publicness of OTC markets is being constructed in more ways than simply through a ‘return of the state.’” These new governance practices also point to a narrowing of the “public” being served by the international financial order: “When broader political issues relating to fairness and participation in governance are addressed, policy-makers’ vision of the ‘public’ seems to narrow suddenly to include only the participants in the markets themselves.” As Helleiner concludes, this suggests that the content of both the distinct narratives and the specific mechanisms that generate “publicness” in turn influence the very identity of the public being constituted by these practices.

The next five chapters apply these insights into the changing character of public practices to several contemporary issue areas. In her chapter “The ‘demand side’ of good governance: the return of the public in World Bank policy,” Best (Chapter 5) looks at recent changes in the World Bank’s development policies. Bernstein’s piece, “The publicness of non-state global environmental and social governance” (Chapter 6), and Paterson’s chapter, “Climate re-public: practicing public space in conditions of extreme complexity” (Chapter 7), both consider different aspects of the evolution of environmental governance, while Gheciu focuses on the changing practices of security provision in her chapter, “Transforming the logic of security governance in Europe” (Chapter 8). Finally, Leander’s chapter, “Understanding US national intelligence: analyzing practices to capture the chimera” (Chapter 9) examines the opaque world of “top secret” security services.

Best’s contribution examines recent efforts by the World Bank to foster the “demand side” of good governance and poverty reduction. Having spent the better part of a decade trying to improve the supply of these developmental goods, whether by the international financial

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institutions themselves or by borrowing states, Bank staff are now focusing on the other side of the equation. In the simplest terms, this means encouraging poor people, civil society groups, parliaments, and market actors to stand up and demand better governance, better services, and better efforts to reduce poverty. In other words, this new governance strategy seeks to create new kinds of public: to foster the formation of public groups, to encourage them to engage in particular kinds of public speech, and to hope through those means to create a more responsive and accountable public sector. The chapter suggests that if we are to understand what is involved in this return of the public, as well as what is at stake, we need to move beyond the more traditional conceptions of the public. We are witnessing neither simply a shift in private authority, nor a new kind of public good, nor a return of the public sphere. Instead, Best suggests, we can best capture recent changes by understanding them as a new kind of public logic, in which the various practices that we associate with the public and the private have been disaggregated and recombined in new and potent ways. Yet, Best argues, these efforts have not been entirely successful to date: her chapter thus points out the potential limits of recent efforts to constitute a new kind of public.

In the realm of global environmental and social governance, Bernstein also finds some important changes underway. Non-governmental actors play an increasingly salient role in creating environmental and social standards in areas such as fisheries, labor practices, forestry, climate change, apparel, and a wide range of commodities that are traded internationally. In so doing, they have developed a new repertoire of governance systems – such as product labeling and producer certification – that they have sought to define as public. Using the ISEAL Alliance to support his claims about the growing importance of non-state governance systems, Bernstein argues that “the language of public and private as distinctive forms of global governance offers limited analytic traction.” As he explains, ISEAL members (which include actors such as the Marine Stewardship Council, the Rainforest Alliance, Fairtrade International, and Forest Stewardship Council) are increasingly relying on claims to their public authority. Like Best and Gheciu, Bernstein suggests that these empirical transformations raise some difficult normative questions and have some potentially problematic implications. One of the key problems, Bernstein argues, is that in practice it can be difficult to achieve publicity for these initiatives beyond elites or those with specialized knowledge. Thus, the risk is that the reconstitution of public authority “legitimizes the slicing up of a divisible transnational ‘public’ – made up in practice of elites engaged in particular issues or market sectors – in the absence of a globally constituted public.”